The Churchman.

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MEETING OF THE GENERAL CONVENTION FOR 1847.

NINETEENTH DAY'S SESSION—CONTINUED.

Rev. Dr. Ogilby then rose to speak, but the Chair decided in favor of Mr. Hudson of Western New York, who said, I am aware, Mr. President, that the subject under consideration has already undergone a protracted, able and earnest discussion, and that indications have been manifested of the desire of this house to bring this debate to a close,—and moreover, a large portion of the ground which I intndeed to occupy, when I first intended to address the house, has been explored by gentlemen far more competent to the task than I can pretend to be, and that therefore, there be but little left for me to say.

But as some remarks have been made, and some positions taken to which I cannot agree, I have deemed it my duty to address the house, briefly though it may be, showing the grounds of my dissent from the propositions put forth by others, and on which I rely in support of those views which I shall offer.

And now sir,—allow me to state the subject matter under debate as I understand it.

It pleased the supreme ruler of the Universe, in the wise purposes of his providence, to permit a portion of the Bishops of our Church to pass upon one of their brethren, the Rt. Rev. the Bishop of the Diocese of New York, a sentence of 'suspension "from all exercise of his Episcopal and ministerial functions," the effect of which has been to place that Diocese in a strange predicament, to place her, as she says "in an anomalous position"—and she has now sent up to us her request, aye her demand, as she had a right to do, that this Convention, shall mete out to her a full measure of justice by such action as may be within our power. This application, together with a memorial from the suspended Bishop, was referred to a joint committee of the two houses consisting of fourteen members, to wit, seven Rt. Rev. prelates, being about one fourth part of the House of Bishops, and a like number of the most distinguished members of the House of Clerical and Lay Deputies. That joint committee have presented a report accompanied by three Canons, the adoption of which, they unanimously recommend to the two Houses as the best, and in fact, the only, measure of justice and relief to the Diocese of New York, which they could unanimously agree on; and in their joint Report they further tell us that they did, unanimously, agree that they would not recommend for our adoption, any measure upon which they could not unanimously agree.—Soon after the presentation of this Report, the House of Bishops passed the first of these Canons,—(and they have subsequently passed the other two,)—and sent it to us for our concurrence.

This Canon was taken up in the House and some verbal amendments made to it, and when the house seemed nearly ready to take a vote on its adoption as amended, a material amendment was offered, changing almost entirely the proposition presented by the joint Committee which had been agreed to by the House of Bishops. This was immediately followed by other amendments, and propositions, from various parts of this house, the movers of some of which intimated an opinion that the Diocese of New York is now vacant, that she may at any time go into an election of a Bishop, that therefore she needs no relief from this Convention, and they expressed an earnest desire that all the pending proceeding and propositions might be temporarily laid on the table, and the simple question of vacancy or no vacancy be presented, discussed and decided by itself, unembarassed by any other matter. This request was cheerfully assented to, and thus we are here engaged in the discussion of the naked question, "is the Diocese of New York now vacant or not;"—and to this discussion I come with no reluctance, but in the confident hope that, however uninteresting and feeble my argument may appear, this House will accord to me what I concede to others, credit for upright motives and fair dealing in my attempt to discharge a solemn duty.

And now sir, I begin by informing this House that in matured and deliberate judgment the Diocese of New York is not vacant. But before I present the considerations which have brought me to this conclusion, I will take leave to notice, some of the arguments, to which I have listened with profound and patient attention, as put forth by those who hold the contrary opinion.

Mr. President.—The Canons of our church have provided three grades of punishment which may be inflicted on a delinquent Bishop or other minister, Admonition, Suspension and Degradation. It is admitted on all hands that a sentence of Degradation, lawfully pronounced on a Bishop, being the highest grade of punishment authorized by our Canon law, does produce, necessarily, absolutely and immediately, a vacancy in his Diocese. Some of those who hold that there is a vacancy in the Diocese of New York, attempt to maintain their assumption by arguing that Suspension and Degradation are identical, which looks a little like proving that white and black are the same, while others there are who maintain that the Diocese is virtually vacant, that it is, so far vacant as to authorize the Diocese to proceed, at any time it may choose, to elect a Bishop to fill that virtual vacancy. This is a modification of the premises of their brethren and looks a little like attempting to prove that white and gray are identical. Sir there is no virtue or vice about this matter of vacancy—there can be no *virtual* or qualified vacancy where there is not an absolute vacancy. The Diocese is absolutely vacant or it is absolutely not vacant.

But, sir, the Rev. and learned Deputy from Louisiana, as if still believing that white and black are identical, very gravely and logically argues that degradation creates a vacancy, degradation and suspension are identical—ergo suspension creates a vacancy! But being a little troubled with the obvious and important distinction which our own canons have made between suspension and degradation, he plunges into antiquity and gropes his way among the ancient canonists—he opens the Herculaneum in which, for many centuries, have been entombed the vices and follies, the excentricities, mistakes and absurdities of an almost forgotten portion of our race, for the purpose of showing us what sort of canon law they had, and deducing therefrom the conclusion that because they had, as he supposes, but one grade of penalty, that of degradation, so we have no right to establish by our own canons, at this day, another and lighter grade of penalty, and that therefore the two, widely different grades, which we have provided for, must necessarily be one and the same thing. This resort of the Rev. Deputy has driven others into the same dusty field, who have drawn out from thence more accurate expositions of the ancient canonists, and pretty effectually demolished both his logic and his antiquities. But I will not follow these black letter case hunters into those dusky regions; but will rather rely on our own legislation, and refer them to the sixth canon of 1844, which contains the only authority in existence for those proceedings which, in their consequences, have given rise to the subject matter under discussion.

Mr. President—The Rev. gentleman from Louisiana has attempted to prove the existence of this vacancy by informing us that the Diocese of New York had, by her standing committee and by the doings of her Convention in 1845, acknowledged and affirmed that there was such vacancy—and how did he support this assertion. Why, sir, he told us, with great apparent earnestness and gravity, that the standing committee of the diocese had called in the Bishop of a sister diocese to perform Episcopal ministrations for them, and that it was unlawful for them to do so unless there was a vacancy in their Diocese, and that their Convention in 1845, had approved of the measure—therefore, if the diocese was not vacant, they had broken the law. Now, for the sake of the argument, admit his position, and what then—if they then infracted one law shall we therefore tell them to go on and break another, by the election of a Bishop when there was no vacancy in their diocese? Or rather will not the gentleman go before a grand jury and get them indicted one and all, for a misdemeanor at common law and bring them to trial before a court of sessions, or of oyer and terminer, and in that way punish them for a breach of law; or, if it be only an ecclesiastical offence, get them presented—and I think there would be but little difficulty in this—and bring them to trial before an ecclesiastical court for this breach of the law, and have them all convicted and sentenced to admonition or suspension, or degradation, and see if that will not make a "virtual" vacancy.

Sir, I am apt to think the Rev. gentleman has paid far more attention to his antiquities than to the published proceedings of the Convention of the diocese of New York in 1845. I sir have examined them and I there find that, so far from acknowledging and affirming that the diocese of New York was vacant, as the Rev. gentleman seemed to suppose, they affirmed, in plain, direct and positive language, precisely the reverse—the majority and minority report of the committee of that Diocesan Convention agree in this simple point, if in no other—that there is no vacancy. I refer gentleman to the published proceedings of that Convention for the truth of my statement.

Again, it is said that the word suspension is a term of art and therefore, as used in the canon means something different from what every body understands by the word suspension, in short that it is a term of art signifying degradation. Sir, there are very few words in the English language which are terms of art, though there be many which are sometimes used as such; but I cannot admit that this helps him out at all. Suspension is no more a term of art than any other word in our language, and is about as far as almost any other word from signifyng degradation. The true rule for the interpretation of language is the plain, unsophisticated and common sense rule of making every word to mean precisely what it was intended to mean—thus admonition does not signify suspension, and suspension does not mean degradation, the difference is as plain and as great between suspension and degradation as it is between admonition and suspension.

Sir, some remarks were recently made by a member—I do not recollect—that the sentence of suspension on Bishop Onderdonk was defective and void for uncertainty, and therefore might resume his official duties at any time; and just as the Rev. Deputy from Louisiana had completed the fabric of his constructive vacancy, a recollection of the above remark, it would seem, came suddenly to his recollection, whereat he drew himself up, waived his hand to and fro and, as if swelling with the magnitude of the thought to which he was about to give utterance, exclaimed—"what! the Bishop resume his duties—resume—resume,—if he should attempt to do that, his punishment would be swift and certain. He would be instantly presented and tried, and convicted and degraded for his contumacy!" How is this, sir—suspension and degradation are the same according to his logic, and according to his law he would punish a Bishop already under suspension, by a sentence of degradation!! Now, sir, I respectfully submit that in this short and significant sentence he has upset the entire fabric of his identity of suspension and degradation and consequent "virtual" vacancy.

Mr. President, I come now to what is left for me to say in defence of my opinion, avowed in the outset, that the diocese of New York is not vacant. And first I will refer to our own legislation on this subject, and not follow him who seizes the ashes of a lamp which has been extinguished more than fourteen hundred years, to illume the pathway of our official duty. I prefer rather to rely on the fruits of our own canons, and I respectfully refer the gentleman to the sixth canon of 1844, a fair and common sense interpretation of which may settle the whole matter.

But sir, allow me to say that we have already, a practical, and, as I think, an authoritative interpretation of this matter by a judicial tribunal of our own appointment, I mean the Court which sat for the trial of the suspended Bishop. We have made the judges of that ecclesiastical tribunal the legal interpreters of the canon under which they acted, and, most assuredly, they are the best expounders of their own sentence.—They have put on record their own exposition of the very point under debate, and have ordered that Record to be published for our edification. And now sir, what do they say?

There were seventeen Judges sitting in that Court, a formidable array of judicial force undoubtedly. Six of those Judges voted for the acquittal of the accused, and, after conviction, in the several scrutinies for determining the amount of penalty, they voted for the lighter grades, and finally voted for "suspension to ward off deposition." Now I aver that here is abundant evidence that they acted upon the same distinction and difference between suspension and degradation which I am insisting on. There then, is the interpretation of six of the Judges of that Court, of the penalties of suspension and degradation. Well, sir, what more? Allow me to look into the record and see. And first of all I will introduce the authority of that able and learned expounder of the common law, the Right Reverend Prelate, the Bishop of Vermont. And what does he say on pronouncing his sentence?—"Willingly would I have chosen the lighter sentence of indefinite suspension if that would have relieved the afflicted diocese of New York from a bond which can no longer be continued with any good result to its interests or welfare." Now I take it for granted that he could not in conscience, have been "willing to choose the lighter sentence" to which he alluded, unless he verily believed it was the uttermost extent to which justice and duty required him to go, and yet he did vote for a penalty incomparably more severe.

I make these remarks to show that the position which I now maintain, then pressed so heavily on his sensative mind, to wit, that "indefinite suspension" would not sever the "bond" of connection between the Bishop and the Diocese, that is, that it would not make a vacancy in the Diocese, that he felt the necessity of going far beyond an admitted proper measure of justice to save the Diocese of New York from so dire a calamity.

Well, sir, who next? The Right Reverend, the Bishop of Kentucky. And what does he say? "The opinion of the Bishop of Kentucky is in favor of suspension because the punishment of degradation is reserved for crime, and immorality, not crime, is here alledged and proved." Accordingly he voted for suspension on the first scrutiny; but it somehow strangely happened that in a subsequent scrutiny he voted for degradation, the punishment which he had just declared was reserved for crime.

How sir, can this be accounted for without affirming my proposition that suspension would not and did not sever the bond between the Bishop and his Diocese, and supposing furthermore that he felt it his duty to spread his protecting mantle over the devoted Diocese of New York, to save her from the threatened calamity.

Now sir, I will call up the Right Reverend, the Bishop of Delaware, who said that "A weighty objection also, in my mind, to the infliction of the same penalty of suspension, as in the previous case, (a case to which he had just alluded,) is the fact, that such sentence will not dissolve the tie between the respondent and his Diocese, neither have the Court any power to do this in connection with such sentence." And then, to be sure of deciding right, he voted once for suspension and twice for deposition. Does not this also prove my position.

And last, though not least, speaks the Right Reverend Bishop of Rhode Island. "If it were not for the perplexing and interminable evils which might be expected to result from leaving the Diocese of New York in connection with a Bishop suspended from the exercise of his Episcopal functions, I might perhaps vote for his suspension; but under the circumstances of the case, I believe it to be required by the purity of the Church and true mercy to the Respondent, that he be deposed."

The plain English of which I take to be that, but for the sake of the Diocese, he might perhaps have voted for a less punishment than the Respondent deserved, unless, perhaps, for the sake of the Diocese, he voted for a greater penalty than her Bishop deserved.

Now, Mr. President, this instance and the three immediately preceeding it in the foregoing arrangement all go to fortify my position that the Diocese of New York is not vacant; and I have cited these four Right Reverend Fathers, being members of the highest judicial tribunal known to the laws of our church, and the legally authorized and best expounders of the canon under which they acted, and the rightful interpreters of their own acts; and these four judges, added to the first mentioned six, constitute a large majority of the whole number, seventeen, who sat upon that trial; and be it remembered too, that not one of the others dissented from the exposition which they thus gave in the premises; therefore, according to the judicial, as well as the canon law of the church, the diocese of New York is not vacant.

But the learned and honorable Deputy from Pennsylvania, in some very interesting remarks to which I listened with great pleasure, seemed, as I thought, to have fallen into an error in respect to the effect of the sentence of suspension, by reading as the sentence of the court, only the introductory language used by the court immediately preceeding the pronunciation of the sentence itself. He read as follows, "It is hereby ordered and declared that the sentence of this Court upon the respondent is suspension from the office of a Bishop in the Church of God, and from all the functions of the sacred ministry"—and there he stopped.—It will be observed that, thus far, the Court had done no more than to declare what the sentence was which they had agreed on, but they had not yet pronounced that sentence, and that they immediately proceeded to pronounce the sentence in the following words: "and this court do hereby solemnly pronounce and declare that the Right Reverend Benjamin Tredwell Onderdonk is suspended from all exercise of his Episcopal and Ministerial functions; and do order that notice," &c. Now I respectfully submit that the latter sentence contains the only sentence which the Court pronounced against the Bishop of New York, while in the first cited paragraph, they merely tell us what the sentence was, which they had agreed to pronounce on him, which was a "suspension from the office of a Bishop in the Church of God and from all the functions of the sacred ministry." Now sir, it will be seen that there is a material difference between the two paragraphs, the one declaring what the sentence was which they had agreed to pronounce, and the other expressing in precise language, the sentence which they did pronounce. I have a right to insist on the latter clause as being the only sentence, on two grounds.—First, because it was the milder imposition, a benefit which the law always allows the accused. And, second, because where you find two clauses in a statute, or in a penal sentence which differ in substance from each other, the last shall over-rule and control the former. This, I insist, is the settled and salutary rule of construction. Therefore the assumption, that there is a vacancy because the office was taken from the Bishop, falls to the ground; because the sentence did not suspend him from the "office of a Bishop," but did suspend him "from all exercise of his Episcopal and Ministerial functions," and this, I take leave to say, did not create a vacancy in the Diocese of New York.

Now sir, let us cease to dispute about supposed vacancies, whether virtual, constructive, or otherwise, and go at once to the consideration of the proper cure for those evils which we all admit to exist in the Diocese of New York. And as the most appropriate remedy, I advise the passage of the three Canons recommended by the joint committee of the two Houses.—They come to us supported by the strongest recommendations, and I give them my cordial support. I will not, in the discharge of this imperative duty, be deterred by the suggestion that the proposed measure will prove illusory, because, as was alledged in one instance, that the Bishops might not, and in another instance, that they would not carry into effect the provisions of the canons if we pass them. These suggestions do great injustice to the Bishops; they have already passed these canons, and it is not to be tolerated that they should be suspected, in advance, of intending the mockery of passing the proposed canons through their House, and then refusing to carry them into effect. Let us discharge our duty by concurring with them in the passage of the proposed canons, and then, even if it be so, that the Right Reverend Fathers shall refuse to discharge their duty by carrying them into effect, which I do not believe, we shall have the consolation of knowing that our hands are clear. But, sir, they will do their duty—they will give effect to these provisions—they are the shepherds of Christ's flock—they are the chief pastors of His Church—they are our spiritual advisers and the supervisors of our parochial teachers, and it is their daily precept to us to do justice, love mercy, and walk humbly before God, and they will illustrate the purity of this precept by their own example in carrying into full effect the provisions of the proposed canons.

Mr. President.—I come now to the consideration of the concluding portion of the argument which my duty requires me to deliver on this occasion. Others have discussed this part of the subject at some length, and yet there is room left for me, enough and to spare.

What effect has been wrought by the excitements and strifes, which, during the last three years, have disturbed the repose of our Communion, upon the character and influence of our Church and the tranquility and happiness of her children?—I answer evil and evil only. I have yet to learn that any, the least good has been accomplished, and I can inform you that much harm has been done. I will permit myself to speak plainly and frankly to Bishops, Priests, Deacons and Laymen, and assure them that it is my solemn and deliberate judgment that since the fall of 1844, a much larger deduction than the most of them are aware, has been made from the respect and confidence entertained for our Bishops and Clergy, and from that fraternal concord among the laity throughout the whole jurisdiction of our church. Heated debates and acrimonious controversies have been carried on in and out of our General and Diocesan Conventions and through the secular and religious presses, the consequences of which have been and are most injurious, and our Bishops and Clergy may not be and I think are not, fully aware of the extent of this mischief. Their journey through life has not been in the paths of laymen, certainly not in those which have been allotted to me.—Wherever they go and are known, they are generally treated with respect and kindness by the religious and moral portion of the community, while even the scoffer at all religion will often observe a decent deportment towards them in their presence, though they may vent their ribaldry the moment they have passed. But with laymen, and especially those of my profession, it is far different.

And here I may more appropriately speak for myself.

In addition to my ordinary social and business intercourse with my fellow men, I have, through a long series of years, in the exercise of my profession, had opportunities to observe much of "poor human nature" as exemplified in the conduct of all sorts of people, the high and the low, rich and the poor, virtuous and vicious, reckless and hardened malefactor under indictment for the highest crimes, to the delicate maiden seeking satisfaction in damages for blighted hopes and violated promises; and these opportunities have qualified me to so speak on this branch of the subject, that even Bishops and Presbyters may listen with profit. I say that, during the last three or four years, things have been said and done which have put additional weapons into the hands of the idler, the reprobate and the infidel, to be by them wielded in the service of Satan, and they are neither slow nor inexpert in using them.

There have been faults, greater or lesser, on all hands, for man is not perfect. Let us then make an attempt to correct these evils.—Let us moderate our heat, restore calmness and kindness to our ranks—let us bring this debate to a close as speedily as it may be done consistently with duty, pass these Canons—do up the residue of our proper business, and take a friendly and fraternal leave of each other, and go to our respective homes, and there, in the closet or at the family altar, go down upon our knees and devoutly pray God to make us better men, better Churchmen, and better Christians.

It being after 3 o'clock the House took a recess until 7 P. M.

Evening Session, 7 o'clock.

On re-assembling at 7 o'clock, the President took the chair, and called the Convention to order.

The House proceeded to the order of the evening, being the election of a committee on the part of the House, to act with a committee of the House of Bishops in nominating a Board of Missions.

Rev. Dr. Van Ingen and Mr. Collins were appointed tellers, and the ballotting having been concluded, the tellers retired.

On motion, the debate was then proceeded with. Mr. Memminger then addressed the House. He hoped that many of those who heard him were desirous to know the truth, and act according to their consciences. He had listened with interest, and with a mind open to conviction. He looked upon it in a light different from that advocated by most of those who had spoken. The question should not be, what should be done with the Bishop? but what were Bishops made for? They were to take charge of and build up the spiritual Church, composed of living stones. Are we to say that one of God's commands shall be observed, and not another?—Can we lawfully neglect any part of the vineyard?—Here we are like Jonah weeping over the perishing gourd, while thousands around were dying in ignorance and sin. When we deny a Bishop, we deny one of the means of grace. We had no right to break the law in one particular, any more than in another. What right had any one to dispense with any of the means instituted by Christ? Has New York her Bishop, her Presbyters, her Deacons? While this matter has been agitated here, how many poor souls have appeared before their Maker? And we still keep back one of the chief officers—though we call ourselves Episcopalians! Any proposition which says that a Diocese shall be without a Bishop, says what no one has a right to say. All men have inalienable rights, and a right to spiritual, is just as inalienable as a right to civil government. The Church contains all the elements of all that is good in civil government. The whole germ of representative government arose from the bosom of the Episcopal Church. The gentleman maintained that the courts might be shut up if a judge was suspended. The Bay State rose up when the King wished them to go without the privilege of *law*, and the whole country sustained them. Is spiritual government worth less than civil? The denial of spiritual government to any diocese is a denial of their natural inalienable rights, and our Church has no right to perpetrate such injustice. But it is said there is no such effort made. Has the Diocese of New York a Bishop, or has she not? If she has, I read thus in the Constitution. Now, if she has a Bishop, she is not destitute of a Bishop. The idea of a provisional Bishop cannot be carried out; the constitution is right in your face. If she is, she is entitled to another, for she has not what the word says she shall have. But they intend to supply his place by a provisional Bishop. New York has as good a right as Virginia to her own Bishop. Other Bishops have all been consecrated for their own dioceses, and besides their own they are requested to take charge of this great diocese, which is more than enough to keep any one man busy all his time. A canon for provisional Bishops exists already. Why make a new one? Because there is a canon running parallel with it providing for the restoration of a suspended Bishop. It will be inferred from this canon that this General Convention is in favor of the restoration of a Bishop. He did not believe ten men on the floor were in favor of it. There was no forgiveness except on confession and penitence. Now can any man be restored to trust except he confesses and is penitent?—Without that, it is idle to talk of restoration of a man condemned for immorality. He wished to see the Church, pure and holy, the temple of the living God. And there was nothing so like the Spirit of God as the feeling enwrapped in the keep of keeps of woman's heart. A father's heart may he turned to stone towards his own children, while the mother, like God, is ever ready to forgive. He therefore hoped the Church would not only preserve female purity, but vindicate it from reproach from without. What *is* the condition of the diocese? How are we to meet the difficulty? The Bishop has been convicted of crime.

Mr. Hudson desired to correct the gentleman; the Bishop had not been convicted of any crime.

The Chair called the gentleman to order. The guilt or innocence, of the Bishop of New York had nothing to do with the question before them; and, therefore, any reference to this point was out of order.

Mr. Memminger stood corrected. The Bishop had been guilty of certain immoralities and was suspended. He said the wound must be probed before it can be healed. He did not wish to offend gentlemen's sensibilities, but he must call things by their right names or he could not express his ideas. The Church has said the Bishop was guilty of certain immoralities, and for those he has been suspended from all the offices of Bishop of the Church of God. If there is now no Bishop, there is no difficulty. If there is, provisional Bishops are inadmissible. Let us examine this question. The Church cannot be presumed to construe her canons in such a manner as to deprive any diocese of its right to a Bishop. A Bishop embraces three things—orders, office, and jurisdiction. All the Apostles were equal, and with no fixed jurisdiction.

That was found to be inconvenient, and Bishops were endowed with exclusive jurisdiction, though their ordination gives them equal power over all the world. Bishops may resign their territorial jurisdiction—what do they then become? They do not lose office or order. It is only jurisdiction that is exclusive. He quoted from Bishop Hobart to sustain this point though he said he feared he had become rather low now-a-days.—This jurisdiction was a matter of human contract and arrangement. A Bishop cannot be admitted as a ruler into the House of Bishops; he must have the consent of the clergy and laity. The Bishop's office consists, then, of two parts, the spiritual and the human. Wherever exclusive rights are given, there is an implied condition that the right be exercised according to the design for which they were given. He quoted again from Bishop Hobart to show the propriety of drawing an analogy between spiritual and civil government. As to the tacit condition of exclusive grants, he gave the analogy of corporations, &c.,—in which charters may be revoked, though the constitution secures the inviolability of contracts. If the House would adopt this view, they could get through this difficulty without trouble.

Judge Chambers said that Bishop Chase did not lose his seat in the House of Bishops when he resigned his Diocese of Ohio.

Mr. Memminger said that those who are governors over us are established with our consent.

Judge Chambers again interrupted, but his remarks could not be heard.

Mr. Memminger quoted the canons, showing that a Diocesan Bishop has what a Bishop at large has not got. When suspended, he is suspended from everything, both general and special—he can exercise none of it. Why can't the Diocese elect another Bishop?—Because, they say, that in that Diocese he has a right of recovery. This, said he, is a matter of contract, just as the calling of a rector to a parish, and comes within the rule of human legislation. Those who conferred jurisdiction can take it away on breach of the tacit condition. It is no matter whether jurisdiction comes from the Diocese, this House, or the House of Bishops, for the proposition of the gentleman from Pennsylvania covers the whole three. If the diocese does not exercise its right of taking away jurisdiction, the Bishop, on restoration, would recover it. The question of benefice depended on the secular courts. He referred here to the opinion of Judge Story in an adjudged case, sustaining his position strongly, the Bishop being a corporation sole. The Episcopate is an exclusive privilege. If he puts it out of his power to perform his duties, those who gave the privilege may take it away. He would agree that there was a great difference between degradation and suspension—there was the same difference between our race and the fallen angels.

(The tellers were here ready to announce the result of the election of the committee to nominate the Board of Missions.)

The common sense view was to settle the question, for the canonists could not agree. The Bishop is suspended, and must continue so. His general and local jurisdiction are both gone. His diocese may say "you have done certain acts, and you cannot exercise the rights we gave you for our own good, and so we will elect another man." Why not? He again referred to the analogy of Bank and railroad companies, illustrating the tacit condition he spoke of before. The proper course is to declare the diocese vacant: it does justice to all, to the diocese, the Church, and the Bishop: for thereby the latter will be restored, (if it be found expedient,) to all that he is deprived of by the sentence.—And justice to the diocese will be thereby maintained. Why, Sir, Bishops are but the *servants* of the Church! What said Christ to Peter? "Feed my sheep!" "Feed my flock!" With an appeal that something be done for this "afflicted diocese," the gentleman closed.

The tellers reported the result of the first ballot for the Joint Committee of six to nominate the Board of Missions.

Clergy.—26 dioceses voted. 14 majority. Rev. Dr. Hanckel had 18. Rev. Dr. Vinton, 15. Mr. Huntington, 17. Mr. Donaldson, 15.

Laity.—21 dioceses voted. 11 majority. Rev. Dr. Hanckel, 14. Mr. Donaldson, 11. Mr. Huntington, 11.

So Rev. Dr. Hanckel, and Messrs. Donaldson and Huntington, were declared chosen: leaving three vacancies: to fill which Rev. Dr. Meade nominated Rev. Drs. Vinton and Forbes, and Mr. Appleton of Boston. Others were nominated, and the House voted, and the tellers retired,—the House resuming the order of the day.

After Mr. Memminger sat down, Rev. Dr Ogilby rose and said, that as he had already taxed largely the attention of the House in the course of this debate, he would at once proceed *in medias res*, and would confine himself to the chief points in the argument of the learned gentleman from Pennsylvania (Ingersoll), who had proposed the measure before the House. He said that he did not feel at liberty, were he inclined, to trouble the house with "preaching," seeing that his Rev. brother from Ohio (Dr. Brooke) had vested this prerogative in a new order of lay preachers, or Friars (*Fratrum praedicatorum*); following herein the example of His Holinss of Rome. And, by the way, sir, I must own that there is perhaps some real danger of a Popish tendency among us, when we see *Ohio* leading off in that direction!

I said, sir, I would not "preach" to the House, but I may be permitted, in passing, to ask the learned deputy from South Carolina (Memminger), who has just favored us with so moving a homily on the duties of the Pastoral Office, and who cited, with such emphatic pathos, our Lord's thrice repeated charge to this Apostle, ("Feed my lambs—Feed my sheep—Feed my sheep!") Who that Apostle was, and what had been his previous conduct? If I mistake not, sir, this emphatic charge was thus especially given to that very Apostle who had *thrice denied* his Master in the very hour of his agony! What Bishop, sir, in this or any other Church has committed an offence one third part so grievious as that of this chosen Apostle?

But, sir, to proceed to the argument of the learned gentleman from Pennsylvania. He called our attention sir, to Canon XXXIX, of 1832, which abolishes the previous distinction between *deposition* and *degradation*. The learned gentleman, *assuming* that "suspension," *simply* pronounced, is identical with deposition—sought to bring it within the scope of this Canon. But every one knows that "deposition" was formerly a distinct penalty, intermediate between "suspension" and degradation;" not implying, like suspension, a *necessary* limit, conditional or absolute; nor like degradation, an absolute finality, but leaving a possibility of restoration. It is this difference between deposition and degradation that the Canon alone touches. But I need say no more on this head, for another learned gentleman from Pennsylvania, (Wharton,) in his lucid and conclusive argument of the other evening, clearly established the true sense of this Canon, and the real scope of a sentence of "suspension" under it.

The next topic in the learned gentleman's argument that I shall notice is the parallel which he ran, by way of analogy, between the terms "suspension" and "imprisonment." Every one, said he, knows that imprisonment may mean confinement for thirty days, three months, three years, or for life; therefore, said he, suspension may mean separation from office for a limited period, or for life. But, sir, let me ask the learned gentleman whether a sentence of imprisonment, simply pronounced, without any expressive limit or defining term, would warrant the confinement for life of the party sentenced? If, sir, a judge were to send an order to a goaler to *imprison* A. B., without saying for how long a time, would the goaler be bound or authorized to imprison him for life? Surely not, sir. I apprehend that such a sentence, if it had any force at all, would be sufficiently complied with if the goaler led the convict into the goal by one door and out of it by the other. So much, sir, for this analogy.

We come next, sir, to the learned gentleman's argument respecting the bearing upon this question of the two houses in the Convention of '44, and more especially of the House of Bishops, upon the Canon passed by that House on the Effect of Indefinite Suspension upon Jurisdiction, and lost by the non-concurrence of this House. The learned gentleman is pleased to *assume* that this was simply a *declaratory* law, setting forth expressly what was an implied principle of our legislature, and that it therefore shows what in the judgment of the House of Bishops, has been and is the effect of "indefinite suspension" upon jurisdiction. But, sir, the learned gentleman is mistaken in this matter. The proposed Canon expressed, not the sense of the House of Bishops as to what then was, but their desire as to what should thereafter become, the the effect of indefinite suspension upon jurisdiction. I had the honor to be, sir, a member of this House at that time; and, sir, I speak advisedly when I assert that although this House made no express declaration on the subject, the consideration nevertheless which prevailed with most of the members of this House, and with the Committee of Conference from this House, to persist in non concurring with the House of Bishops in the matter, was simply this, that they looked upon the proposed Canon as introducing a *new* and vicious principle into our Canon Law; a principle wholly unknown before, not only to our own codes, but to that of all Christendom in all ages, unless perhaps a few exceptions *may* be found in the darkest period of Papal tyranny. That the Houses of Bishop's considered the rejection by this House of the first and third sections of the Canon as the positive denial of the principle of the law, is expressly stated in the report of their Committee of Conference, (see p. 160 of Journal of '44); and that the Bishops did not dream of the previous existence of such a principle in our code, is shown by the fact that they abandoned the second section when they could not carry the others. So far is it from being true, that the Houses regarded the first and third sections of that Canon as being merely declaratory, as the learned gentleman asserted. On the contrary, the House of Bishops admitted what this House, through its Committee and by its action, asserted, that that Canon embodied an entirely new principle, viz.: that indefinite suspension should void jurisdiction; and the action of both Houses proves that no such principle ever has existed, or does now exist, in the Canon law of this Church. I might add, that both in this House, and in its Committee, the doubt obtained very generally as to the existence or validity, under our code, of such a penalty as *indefinite* suspension.

The learned gentleman did me the honor to notice the rule of strict construction which, in a former argument, I had affirmed to be applicable to the interpretation of penal *sentences*, as well as of penal statutes. He affirmed, on the contrary, that there is nothing in all legal proceedings so loose and wanting in exactness as the language of penal sentences. He handed me over, sir, in this connection, to the hand-books of the law. I have never, sir, had the honor of being admitted to the profession of law; but I was once a candidate for the honor, just long enough to dip into some of the handbooks referred to. And though, sir, I will will not say repented, but changed my mind as to my profession, my memory fails me, sir, if I have so greatly erred upon this subject. But I beg to say that I presume not to speak confidently on questions of this sort. When gentlemen of the bar tread upon my toes somewhat severely, within my own sphere of theology, I own, sir, that I feel a little sore at times; and I will not follow their example. I beg, therefore, that gentlemen before me, who are learned in the law, will correct me, if wrong, in what I shall assert on this head, and sustain me if I am right.

The learned gentleman from Pennsylvania favored us with an instance of the extreme laxity of penal sentences. He said that when in England a poor fellow was convicted of a capital crime, the judge, in an offhand way, consigned him to eternity, by causing the clerk to written the record, the three simple terms "*sus per col.*" And, sir, he implied, or by his silence left us to infer, that this abbreviation, this labor—saving contraction, designed to save oppressed or lazy officers the trouble of writing out the *formula*, which was the whole of the ceremony. Now, sir, if it be so, let us look at it and see whether it be after all so *loose* a thing as the gentleman implied. *Sus. per col.* is, I take it, an abbreviation of the Latin phrase *Suspendatur per collum*, which in plain English reads, "let him be hung up by the neck!" Now, sir, whatever the learned gentleman may think, the plain sense of this gives a construction tight or strict enough, at least, for the poor culprit.

But, Sir, is this the *Sentence* of the Court at all? Is it it not a mere record of the sentence for reference sake? Must not a sentence for capital punishment be much more precise then this? Must it not run somewhat thus: "let A. B. be taken to such a place, on such a day, and between such and such hours, be hung by the neck, till he be dead?" I ask gentlemen learned in the law whether it is so or not? (Judge Chambers replied, "it is so"). Yes, Sir, I apprehend that I am not wrong in applying to penal sentences, as well as statutes, the rule of strict construction. Look at it sir. "That he be hung by the neck," how long sir? Indefinitely? No sir; but "*till he be dead.*" And, sir, I venture to say, that were the sentence of the court to omit that defining clause, "till he be dead," and should it so happen that the culprit by some lucky chance should extricate himself from the deadly noose before it had done its work of death, and reach the ground alive, not all the sheriffs in christendom might dare to hang him up again, unless they trampled under foot all law and right. Let gentlemen apply this to the case in hand, this sentence of simple or (as they call it), "Indefinite" Suspension.

The learned gentleman favoured us, sir, with several citations from Ayliff (whose book, as he admitted is a Dictionary *utrius que juris*, and not properly of Canon Law, and, although he was obliged to admit that his authority, was not consistent, he thought that certain passages which he quoted touching "perpetual suspension" made for his position that such suspension *ipso facto* voids jurisdiction. Now, sir, I will not go into the previous inquiry, whether the case before us be a case of "perpetual" suspension or not; for the learned gentleman from Western New York, who spoke this morning (Mr. Hudson) has demonstrated by a clear, direct, and home argument, derived from the opinions of the judges themselves, that it was not such in the intention of a majority of theCourt itself. I could wish sir, that that learned gentleman with whomI am happy to agree, had been less general in his censure of that "Herculaneum of ancient rubbish," upon which we must draw at times for the illustration whether of Canon or Civil Law, and for which perhaps I may have, from force of habit some undue partiality. But, sir, I beg to remind the house that I adduced the other day, in addition to evidence, the authority of one who is by common consent the *fcaile Princeps*, undeniably the Prince, of English Canonists, (that authority sustained on his part by a Catena of Citations to the point), to prove that *suspension* from the beginning has always implied a *limit*, absolute or contingent, and that unless a limit be expressed or implied, it is not suspension at all; so that even a sentence of "perpetual" suspension must contemplate a limit of some sort. And, sir, I cannot but regret that my Rev. brother from North Carolina, (Dr. Mason), in his argument this morning, made on this topic a gratuitous concession to the Rev. gentleman from Louisiana, (Dr. Hawks,) when he admitted that "perpetual" suspension does involve perpetuity in the vulgar sense of the word; a concession too in opposition to the authority of one, whom on no partial testimony he himself cited as one of that illustrious English trio, "from whom antiquity had no secrects;" one, I may add, sir, (for the satisfaction of the learned gentleman from Western New York) who had that sound, healthy, and practical character of mind, which enabled him to draw from the past "old treusures," wherewith to illustrate the new questions that arise to perplex the present time. I cheerfully admit, sir, that my Rev. and learned brother did, upon his concession to the Rev. gentleman from Louisiana, construct an *argumentum ad hominem* altogether fatal to the main position of that gentleman's argument. But still I maintain that the concession was wholly uncalled for.

In this connexion, sir, it may be proper to say that gentlemen are misled by this term "perpetual" All the seeming inconsistencies in the authorities of the learned gentleman from Pennsylvania, as in others previously cited, are cleared up by keeping in mind one obvious principle, viz: that as the epithet limits and qualifies the subject, so does the subject also in its turn limit and qualify the epithet. If for example, sir, I should venture to speak of man as eternal, no one would suppose that I meant to imply that he was "in the beginning with God;" all would understand that I employed it in an accommodated sense to express his immortality. While, on the other hand, if I should predicate immortality of God, the unchangeable "I am" from eternity to eternity," *the* Life; all would equally perceive that I meant to exclude, not merely the idea of subjection to what we call death, but his very eternity itself. And now, sir, I beg the House to apply this principle to the matter of "perpetual" suspension, bearing in mind that "suspension" of its very nature and essence involves the idea of a limit, and they will at once perceive that "perpetual" in this connexion implies not a positive continuance during life, but only indefinite continuity, contingent upon the exercise of remission by the proper authority.—And this interpretation, sir, is borne out by the facts of history, unless here and there, an exception may be found during the period, when degradation was aggravated by civil disabilities, or other penalties so grievious, that the court was tempted, in the spirit (not, sir, of that justice, which would exact a pound of flesh," whatever else it might tear away with it, but) of compassion and mercy, to resort to a legal fiction, and to call its sentence perpetual suspension. But these are rare exceptions, few and far between, which only prove the rule.

The learned gentleman, sir, tited a case from Gibson's Codex, which he alleged as an instance of indefinite suspension voiding jurisdiction. This, sir, is the first reference by gentleman on the other side of this question to an *English Canonist*, and I am happy to meet them on English ground. It is also one of the only three cases (though we have heard much from them of the importance of "cases"), that have been adduced on their side. The other two, cited by the Rev. gentleman from Louisiania, (viz. those of Archbishop Abbot and Bishop Williams) have been shown to make against the position that "suspension" vacates jurisdiction. I shall now show that this third case is no more to the purpose then the other two. It is contained in a Constitution of Archbishop Chicheley, passed A. D. 1415, and may be found in chapter II. (Title XLIII), of Gibson's Codex, entitled "Of Qualifications and Behaviour of Judges in the spiritual Courts." It ordains, that in order to remove the scandals brought upon the authority of the Church, no married Person, nor Bigamist, nor Layman, shall be concerned in ecclesiastical jurisdiction, upon pain of suspension of the Ordinary. The passage relating to this suspension is the one cited by the learned gentleman from Pennsylvania, and is as follows: "And (we ordain), that whatever Ordinary or person having Ecclesiastical Jurisdiction, *inferior to a Bishop*, (*Episcopo inferior*) shall have presumed knowingly to admit or receive to the aforesaid functions or any of them, a married clergyman, layman, or bigamist, or who after the space of two months, from the publication of this Constitution shall presume knowingly to tolerate or retain in an office having this sort of Jurisdiction or shall not remove one who has been or hereafter shall be so admitted; that he shall incur *ipso facto* the penalty of suspension from *the exercise* of this sort of jurisdiction, and also from entrance to the Church (*poenam suspensionis ab exercitio jurisdictionis hujusmodi, nec non ab ingressu ecclesiae incurrat ipsofacto.*)

Now, sir, this constitution enacts nothing respecting the suspension of a Bishop, for the party to whom it is applicable is described as *Episcopo inferior*, below the grade of Bishop. It applies only to those lower functionaries, who in those days of spiritual tyranny, when all power was concentrated in the person of him, who had become by usurpation, *Episcopus Episcoporum* and *Rex Regum* upon earth, and when the law of might had superceded that of right, was set up and plucked down at the mere will of the Pope or his agents, with as little regard to the vested interests and rights of those his creatures, as the child shows for the toy he one hour lays up as a treasure, and the next tramples under foot. Shall we draw our precedents for the administration of justice from such a period?

But sir, this case utterly fails, not only in the point referred to, but also in this important particular, that it does not speak of the voiding jurisdiction at all. It suspends only *ab excercitio jurisdictionis*, from the exercise &c of jurisdiction, and that too plainly for a time only, unless it is pretended that the suspension *ab ingressu ecclesiœ*, with which it is coupled was meant to be forever. So that it too makes *against*, instead of for the assertion, that suspension voids jurisdiction.

If, sir, it should be asked why there should be more hesitation or difficulty about voiding the jurisdiction of a Bishop, than that of a clergyman of inferior grades, I answer that it is a much more serious and severe measure to strip a Bishop of jurisdiction than a parochial Rector for example (though there is in the latter class of cases in our day, a culpable and pernicious facility in doing this, which few of us properly estimate;) inasmuch as it is far more difficult, if not quite impossible for a Bishop to regain jurisdiction when once forfeited. But there is a higher consideration still, connected with weighty considerations of Church principles, and that is that when you set a Bishop at large, without jurisdiction, you hold out an opportunity and temptation for the organization of a schism. So that the welfare of the Church demands the utmost caution at our hands in this matter of voiding jurisdiction.

In this connection, sir, it may be well to notice a difficulty about this matter of jurisdiction, which seems to perplex the minds of many; relating, I mean, to the source from which it comes. Some derive it from one quarter, others from another. Now sir, I apprehend that the power of jurisdiction, the right to exercise it at all, comes from Christ, through Episcopal ordination or consecration; but that the title to exercise it in a particular place is given by the election when duly ratified. That is to say, the Bishop-elect acquires a presumptive title to the exercise of jurisdiction in the Diocese, to which he has been elected and confirmed; which title becomes perfect when by consecration he is empowered to exercise it. This is, I apprehend, the true solution of the difficulty.

It remains, sir, to notice briefly a reference (cited from Ayliff by the learned gentleman from Pennsylvania,) to a letter of Cyril to John of Antioch, in which he speaks of many "deposed" Bishops as having been restored. From which the inference is drawn that this deposition was the same as indefinite suspension and *vice versa*. If so, Sir, it only proves that no suspension is absolutely final; so as to hinder restoration. But the truth is that the discipline of the Church was then in a transition state from its early severity to a greater mildness in laxity, consequent upon the multiplication of acts of discipline during the schisms that afflicted the Church during the third and fourth centuries. Pending the conflict with Areanism, moreover, many orthodox Bishops were driven from their Sees by unjust sentences of deposition, which were reversed so soon as the opportunity offered. The great Athanasius was thus driven out again and again, and again and again, and again, and as many times restored. So that this only proves that deposition was not then held absolutely to void jurisdiction. The experience of that sad period, too, warns us against lightly interfering with the right of jurisdiction, and introducing (as the measure before the house proposes) a second Bishop into an occupied See. For a century that unhappy Church was rent by schisms, introduced and perpetuated by the setting up Bishop against Bishop, and altar against altar; until at length after repeated efforts it was scarcely healed over by the mediation of the great St. Chrysostom.

In conclusion, Sir, I beg to say that I have not appeared in this debate as the advocate of any person, place or party. The course of the debate has unexpectedly led me to take a much more prominent part than I either designed or desired. In doing my duty, I have sought to speak the honest convictions of my mind, as a Churchman may and ought, with freedom and earnestness; but at the same time, with a proper respect for the feelings, motives, and opinions of all others. If in any measure I have fallen short of this duty, I deeply regret it. I said, Sir, that I would not attempt to preach to the house; but I cannot close the last remarks I shall make on this subject without imploring the house to profit by the lessons of the past, and to refrain from introducing into this Diocese an element of schism, which may make it another Antioch, and may not only affect *it*, but may spread discord and desolation throughout our whole communion. Let gentlemen who dread Rome, beware of that policy which more than all things else would favor the power of Rome, which would give her fair occasion to boast of her purity, and to glory and triumph in our divisions. God forbid, Sir, that we should so act as to give occasion for such glorying and for such a triumph.

The tellers reported the election of the Rev. Dr. Vinton and Mr. Appleton, as members of the nominating committee—leaving one vacancy still—whereupon, on motion of the secretary, the house proceeded to ballot a third time; the result of which was the election of the Rev. Dr. Bowman—so that the committee consists of the Rev. Drs. Hanckel, Vinton and Bowman, on the part of the clergy, and the Hon. Messrs. Huntington, Donaldson and Appleton, on the part of the laity.

It being past ten o'clock, on motion, the convention adjourned to the morning, at half past 9.

EIGHTEENT DAY'S SESSION.

Tuesday, Oct. 26th, 1847.—The Convention met pursuant to adjournment.

Morning Prayer was said by the Rev. Henry Gregory, D. D., Rector of St. Paul's Church, Syracuse, W. N. Y.; assisted by the Rev. F. R. Hasson, Rector of St. John's Church, in the Prairies, Greene Co., Ill., reading the Lessons.

The Minutes of the preceding day were read by the Assistant Secretary, and approved.

The Rev. Dr. Bowman, Chairman of the Committee on Elections, made a report in reference to certain applications for leave of absence, which was on motion adopted.

The Hon. Chancellor Jones then rose and addressed the House.

[The speech will appear in our next.—Ed.]

The venerable speaker was listened to with the most profound and respectful attention, and on the call of Question, Question, the Rev. Dr. Jarvis rose to invoke the members of the House to remain in perfect silence for a space, and to implore the Divine direction in secret prayer; which was accordingly done.

Mr. Collins called for the vote by Dioceses, on the passage of Mr. Ingersoll's Canons. On the first of these, which provides that, in the event of a Bishop being suspended, for an indefinite period it shall be lawful for the Diocese to proceed to a new election, as in case of vacancy, the ayes and noes were as follows:—

Clergy, 28 Dioceses—Aye 7, No 17; Divided 4. Laity, 25 Dioceses—Aye 10, No 14; Divided 1.

Dioceses voting in the affirmative.

Clergy.

Maine.—Rev. Messrs. Pratt, Bent, Burgess, and Fales, *Aye.*

Virginia.—Rev. Drs. Empie and Jones, Rev. Messrs. MaGuire and Mann, *Aye.*

Georgia.—Rev. Dr. Neufville, Rev. Messrs. Bragg and Stevens, *Aye.* Rev. Dr. Ford, *Nay.*

Louisiana.—Rev. Dr. Hawks, and Rev. Mr. Preston, *Aye.*

Tennessee.—Rev. Dr. Wheat, *Aye.*

Kentucky.—Rey. Messrs. Gallagher and Cowgill, *Aye.*

Ohio.—Rev. Dr. Brooke, Rev. Messrs. Smallwood and Muenscher, *Aye.*

Laity.

Maine.—Mr. Pratt, *Aye.*

New Hampshire.—Mr. Harvey, *Aye.*

Rhode Island.—Messrs. Wardwell and Grinnell, *Aye.* Mr. Wilkinson, *Nay.*

Pennsylvania.—Messrs. Ingersoll and Cope, *Aye.* Mr. Wharton, *Nay.*

Virginia.—Messrs. Williams, Rives, Colston, and McFarland, *Aye.*

Georgia.—Messrs. Potter and Nightingale, *Aye.* Mr. Campbell, *Nay.*

Alabama.—Mr. Garrow, *Aye.*

Louisiana.—Messrs. Payne, Duncan, and Lobdell, *Aye.*

Tennessee.—Mr. Polk, *Aye.*

Ohio.—Messrs. Delano, Stamp, and Este, *Aye.*

Dioceses voting in the negative.

Clergy.

New Hampshire.—Rev. Drs. Burroughs, and Sprague, Nay. Rev. Mr. Moore, Aye.

Vermont.—Rev. Dr. Hicks and Clapp, Rev. Mr. Manser, Aye.

Connecticut.—Rev. Drs. Crosswell, Jarvis, and Mead, Nay. Rev. Dr. Burgess, Aye.

New York.—Rev. Drs. Berrian, Brown, Sherwood, and Forbes, Nay.

Western New York.—Rev. Drs. Proal, Van Ingen, and Gregory, Rev. Mr. Ingersol, Nay.

New Jersey.—Rev. Dr. Ogilby, Rev. Messrs. Dunn and Watson, Nay.

Delaware.—Rev. Messrs. Billop and Freeman, Nay.

Maryland.—Rev. Dr. Wyatt and Mason, Rev. Messrs. McKenny and Wiley, Nay.

North Carolina.—Rev. Drs. Mason and Drane, Rev. Messrs. Johnstone and Hubbard, Nay.

South Carolina.—Rev. Dr. Hanckell, Rev. Messrs. Young and Trapier, Nay. Rev. Mr. Walker, Aye.

Florida.—Rev. Dr. Rutledge, Rev. Messrs. Scott and Gay, Nay.

Alabama.—Rev. Messrs. Hanson and Marbury, Nay. Rev. Mr. Massey, Aye.

Indiana.—Rev. Messrs. Croes, Manney, and Halsted, Nay.

Illinois.—Rev. Messrs. Dresser and Giddinge, Nay. Rev. Mr. Chase, Aye.

Michigan.—Rev. Messrs. Taylor, Cole and Large, Nay.

Missouri.—Rev. Mr. Griswold, Nay.

Wisconsin.—Rev. Messrs. Davis and Hatch, Nay.

Laity.

Vermont.—Mr. Shaw, Nay.

Massachusetts.—Messrs. Appleton, Rand, and Newton, Nay.

Connecticut.—Messrs Ferguson and Huntington, Nay. Mr. Smith, Aye.

New York.—Messrs. Jones and Verplanck, Nay.

Western New York.—Messrs. Hudson, Seymour, Webster, and Pierrepoint, Nay.

New Jersey.—Messrs. Gifford, Canfield and Aertsen, Nay. Mr. Stratton, Aye.

Delaware.—Mr. Reed, Nay.

Maryland.—Messrs. Chambers, Evans, and Donaldson, Nay.

North Carolina.—Messrs. Collins, Page, and Bryan, Nay.

South Carolina.—Messrs. Tucker, and Allston, Nay. Mr. Memminger, Aye.

Kentucky.—Mr. Bucklin, Nay.

Indiana.—Messrs. Bailey and Carter, Nay.

Illinois.—Mr. Moore, Nay.

Wisconsin.—Messrs. Helfenstein and McVickar, Nay.

Divided—Clergy.

Massachusetts.—Rev. Dr. Vinion, and Rev. Mr. Lee, Aye. Rev. Dr. Edson, Rev. Mr. Mason, Nay.

Rhode Island.—Rev. Dr. Crocker, Rev. Mr. Penny, Aye. Rev. Messrs. Taft and Vail, Nay.

Pennsylvania.—Rev. Drs. Bull and Neville, Aye. Rev. Drs. Bowman and Morton, Nay.

Mississippi.—Rev. Mr. Merrill, Aye. Rev. Mr. Giles, Nay.

Divided—Laity.

Michigan.—Mr. Palmer, Aye. Mr. Demill, Nay.

And so the Canon was lost.

On the 2nd of Mr. Ingersoll's Canons, which required that the suspended Bishop, before he could be restored to his jurisdiction should produce testimonials from the Convention of his own Diocese, and from the House of Clerical and Lay Delegates of the General Convention, assenting to the resumption of the functions of his office, the ayes and noes were as follows:—

Clergy, 28 Dioceses—Ayes 5, Noes 20; Divided 3. Laity, 25 Dioceses—Ayes 8, Noes 15; Divided 2.

Dioceses voting in the affirmative.

Clergy.

Maine.—Rev. Messrs. Pratt, Bent, Burgess, Fales, Aye.

Pennsylvania.—Rev. Drs. Bull, Bowman, Morton, Neville, Aye.

Virginia.—Rev. Drs. Empie, McGuire, Jones, Mann, Aye.

Tennessee.—Rev. Dr. Wheat, Aye.

Ohio.—Rev. Messss. Smallwood, Muenscher, Dr. Brooke, Aye.

Laity.

Maine.—Mr. Pratt, Aye.

New Hampshire.—Mr. Harvey, Aye.

Pennsylvania.—Messrs. Ingersoll, Cope, Aye. Mr. Wharton, Nay.

Virginia.—Messrs. Williams, Rives, Colston, McFarland, Aye.

Georgia.—Messrs. Potter, Nightingale, Aye. Mr. Campbell, Nay.

Alabama.—Mr. Garrow, Aye.

Tennessee.—Mr. Polk, Aye.

Ohio.—Messrs. Delano, Stamp, Aye.

Dioceses voting in the negative.

Clergy..

New Hampshire.—Rev. Drs. Burroughs, Sprague, Nay.

Vermont.—Rev. Drs. Hicks, Clapp, Nay. Rev. Mr. Manser, Aye.

Massachusetts.—Rev. Drs. Vinton, Edson, Rev. Mr. Mason, Nay. Rev. Mr. Lee, Aye.

Rhode Island.—Rev. Dr. Crocker, Rev. Messrs. Taft, Vail, Penny, Nay.

Connecticut.—Rev. Drs. Croswell, Jarvis, Mead, Nay. Rev. Dr. Burgess, Aye.

New York.—Rev. Drs. Berrian, Brown, Sherwood, Forbes, Nay.

Western New York.—Rev. Drs. Proal, Van Ingen, Gregory, Rev. Mr. Ingersoll, Nay.

New Jersey.—Rev. Dr. Ogilby, Rev. Messrs. Dunn, Watson, Nay.

Delaware.—Rev. Messrs. Billop, Freeman, Nay.

Maryland.—Rev. Drs. Wyatt, Mason, Rev. Messrs. McKenny, Wiley, Nay.

North Carolina.—Rev. Drs. Mason, Drane, Rev. Messrs. Johnstone, Hubbard, Nay.

South Carolina.—Rev. Dr. Hanckell, Rev. Messrs. Young, Trapier, Nay. Rev. Mr. Walker, Aye.

Florida.—Rev. Dr. Rutledge, Rev. Messrs. Scott, Gay, Adams, Nay.

Mississippi.—Rev. Messrs. Giles, Merrill, Nay.

Alabama.—Rev. Messrs. Hanson, Massey, Marbury, Nay.

Indiana.—Rev. Messrs. Croes, Manney, Halstead, Nay.

Illinois.—Rev. Messrs. Dresser, Geddinge, Nay. Rev. Mr. Chase, Aye.

Michigan.—Rev. Messrs. Taylor, Cole, Large, Nay.

Missouri.—Rev. Mr. Griswold, Nay.

Wisconsin.—Rev. Messrs. Davis, Hatch, Nay.

Laity.

Vermont.—Mr. Shaw, Nay.

Massachusetts.—Messrs. Appleton, Rand, Newton, Nay.

Rhode Island.—Messrs. Wardell, Wilkinson, Grinnell, Nay.

Connecticut.—Messrs. Huntington, Russell, Nay. Mr. Smith, Aye.

New York.—Messrs. Jones, Verplanck, Nay.

Western New York.—Messrs. Hudson, Seymour, Webster, Pierrepoint, Nay.

New Jersey.—Messrs. Gifford, Stratton, Parker, Aertsen, Nay.

Delaware.—Mr. Reed, Nay.

Maryland.—Messrs. Chambers, Evans, Donaldson, Nay.

North Carolina.—Messrs. Collins, Page, Bryan, Nay.

South Carolina.—Messrs. Tucker, Allston, Nay. Mr. Memminger, Aye.

Louisiana.—Messrs. Duncan, Lobdell, Nay. Payne, Aye.

Kentucky.—Mr. Bucklin, Nay.

Indiana.—Messrs. Bailey, Carter, Nay.

Illinois.—Mr. Moore, Nay.

Divided—Clergy.

Georgia.—Rev. Dr. Neufville, Rev. Mr. Bragg, Aye. Rev. Dr. Ford, Rev. Mr. Stevens, Nay.

Louisiana.—Rev. Dr. Hawks, Aye. Rev. Mr. Preston, Nay.

Kentucky.—Rev. Mr. Gallagher, Aye. Rev. Mr. Cowgill, Nay.

Divided—Laity.

Michigan.—Mr. Palmer, Aye. Mr. Demill, Nay.

Wisconsin.—Mr. McVickar, Aye. Mr. Helfenstein, Nay.

So the 2nd Canon was lost.

Several messages from the House of Bishops were here announced.

Mr. Williams now rose and said he had a proposition to offer, in the shape of a canon, which he hoped would meet the views of the house. His proposition authorized a diocese whose Bishop was under a suspension without limit of time, to elect a Bishop, who should be the assistant Bishop in case of the restoration of the Bishop, and his successor in case of death, &c.

Judge Chambers called the gentleman to order.

Dr. Burgess questioned the right of the gentleman to introduce a proposition of this kind at this late period.

Mr. Williams said he believed that they had the privilege of proposing any amendments which had in view the improvement of the propositions; and endeavored to proceed with his remarks, when cries of "question," and "order," came thick and loud. After several unsuccessful attempts to go on, he resumed his seat, and the chair expressed the hope that the good character which the House had thus far obtained for order, would not be depreciated by any conduct which did not comport with the dignity of the House.

Mr. Memminger proposed to take up the canon from the House of Bishops, and proceed to act upon it at the point at which they left it.

Rev. Dr. Vinton was desirous to have some vote taken on the abstract proposition, whether the diocese was, or was not vacant.

After some further discussion, the second canon reported by the joint committee as amended and adopted by the House of Bishops was taken up.

Rey. Dr. Hawks moved an amendment in the form of a proviso, in effect that, in case of a suspension where the time was not limited, no power of remission should be exercised by the House of Bishops, unless with the consent of the diocese to which said bishop belonged.

After some debate the question was put, when the amendment was lost by the following vote:

The clergy, 28 dioceses voting—ayes 13, noes 12, divided 2.

The laity, 24 dioceses voting—ayes 12, nays 10, divided 2.

Vote on Dr. Hawk's amendment to first proposed canon.

Clergy.

Dioceses voting in the affirmative.

Maine.—Rev. Messrs. Pratt, Bent, Burgess and Fales, Aye.

New Hampshire.—Rev. Dr. Sprague, Rev. Mr. Moore, Aye. Rev. Dr. Burroughs, Nay.

Pennsylvania.—Rev. Drs. Bull, Bowman and Neville, Aye.

Virginia.—Rev. Drs. Empie and Jones, Rev. Mr. Maguire, Aye. Rev. Mr. Mann, Nay.

Georgia.—Rev. Dr. Neufville, Rev. Messrs. Bragg, and Stevens, Aye. Rev. Dr. Ford, Nay.

Alabama.—Rev. Messrs. Massey, Marbury, Aye. Rev. Mr. Hanson, Nay.

Mississippi.—Rev. Messrs. Giles and Mr. Merrill, Aye.

Louisiana.—Rev. Dr. Hawks, Rev. Mr. Preston, Aye.

Tennessee.—Rev. Dr. Wheat, Aye.

Kentucky.—Rev. Messrs. Gallagher and Cowgill, Aye.

Ohio.—Rev. Dr. Brooke, Rev. Mr. Muenscher, Aye.

Illinois.—Rev Messrs. Chase, Dresser and Giddinge, Aye.

Michigan.—Rev. Messrs. Taylor and Cole, Aye. Rev. Mr. Large, Nay.

Laity.

Maine.—Messrs. Staples and Pratt, Aye.

New Hampshire.—Mr. Harvey, Aye.

Rhode Island.—Messrs. Wardwell and Grinnell, Aye. Mr. Wilkinson, Nay.

Western New York.—Messrs. Seymour, Webster and Pierrepoint, Aye. Mr. Hudson, Nay.

Pennsylvania.—Messrs. Ingersoll and Cope, Aye. Mr. Wharton, Nay.

Virginia.—Messrs. Williams, Rives, Colston and McFarland, Aye.

Georgia.—Messrs. Potter and Nightingale, Aye. Mr. Campbell, Nay.

Alabama.—Mr. Garrow, Aye.

Louisiana.—Messrs. Payne, Duncan and Lobdell, Aye.

Tennessee.—Mr. Polk, Aye.

Kentucky.—Mr. Bucklin, Aye.

Ohio.—Messrs. Delano and Stamp, Aye.

Dioceses voting in the negative.

Vermont.—Rev. Drs. Hicks, and Clapp, Rev. Mr. Manser, Nay.

Massachusetts.—Rev. Drs. Vinton and Edson, Rev. Mr. Mason, Nay. Rev. Mr. Lee, Aye.

Connecticut.—Rev. Drs. Croswell, Jarvis and Mead, Nay. Rev. Dr. Burgess, Aye.

New York.—Rev. Dr. Berrian, Brown, Sherwood and Forbes, Nay.

New Jersey.—Rev. Dr. Ogilby, Rev. Messrs. Dunn and Watson, Nay.

Delaware.—Rev. Messrs. Billopp and Freeman, Nay.

Maryland.—Rev Drs. Wyatt and Mason, Rev. Messrs. McKenney and Wiley, Nay.

North Carolina.—Rev. Drs. Mason and Drane, Rev. Messrs. Johnstone and Hubbard, Nay.

South Carolina.—Rev. Dr. Hanckel, Rev. Messrs. Young and Trapier, Nay. Rev. Mr. Walker, Aye.

Florida.—Rev. Messrs. Scott, Gay and Adams, Nay.

Indiana.—Rev. Messrs. Croes, Manney, and Halsted, Nay.

Missouri.—Rev. Mr. Griswold, Nay.

Wisconsin.—Rev. Mr. Davis, Nay.

Laity.

Vermont.—Mr. Shaw, Nay.

Massachusetts.—Messrs Appleton, Rand and Newton, Nay.

Connecticut.—Messrs. Huntington and Ferguson, Nay. Mr. Smith, Aye.

New York.—Messrs. Jones and Verplanck, Nay.

Delaware.—Mr. Read, Nay.

Maryland.—Messrs. Chambers, Evans, Donaldson, Nay.

North Carolina.—Messrs. Collins, Page and Bryan, Nay.

South Carolina.—Messrs. Tucker and Allston, Nay; Mr. Memminger, Aye.

Indiana.—Messrs. Bailey and Carter, Aye.

Illinois.—Mr. Moore, Nay.

Dioceses Divided—Clergy.

Rhode Island.—Rev. Dr. Crocker, Rev. Mr. Penny, Aye; Rev. Messrs. Taft and Vail, Nay.

Western New York.—Rev. Drs. Van Ingen and Gregory, Aye; Rev. Dr. Proal, Mr. Ingersoll, Nay.

Laity.

New Jersey.—Messrs. Gifford and Stratton, aye; Canfield and Aertson, Nay.

Michigan.—Mr. Palmer, Aye; Mr. Demill, Nay.

The question being then put on the adoption of the canon, it was passed viva voce.

The house then took the usual recess.

EVENING SESSION.

The Convention re-assembled at 7 o'clock.

The second of the canons reported by the joint committee was taken up as amended by the House of Bishops. The first two amendments passed by that body were concurred in. The next amendment, providing that on pronouncing a sentence of suspension, it shall be specified whether it be perpetual or not, and if not, what time it shall cease, created some debate. The debate was pronounced out of order; but the Secretary said the amendments had been communicated to them from the House of Bishops, since the resolution to close debate had been taken. He believed it, therefore, in order to discuss the amendment.

Judge Chambers moved, in accordance with a precedent at the last meeting of the General Convention, that the house take the vote on all the amendments to the canons proposed by the House of Bishops at half-past 9 o'clock, to-night.

Mr. McFarland had hoped that every proposition would be voted upon at that time, but he did not see how it could be done. It might be very proper for some subjects to hasten through, but not proper for others. He hoped that on all subjects of importance, members would be allowed to express their opinions freely.

Judge Chambers then modified his motion so that unless the question on the proposed canon of the joint committee be taken earlier, it should be taken at half past nine o'clock. A division being necessary, the motion was agreed to, 79 to 33.

Rev. Dr. Burgess was not in favor of the amendments. He even entreated the house to pause before they passed the canon without the amendments, making no provision for the House of Bishops to pass sentence of indefinite suspension.

Rev. Dr. Ogilby thought the terms sufficiently explicit to allow the House of Bishops to pass sentence of indefinite suspension.

Rev. Dr. Henry Mason said that he had always entertained the opinion that the Bishops had by divine right, authority to inflict what punishment they saw proper, and the regulation of the power should be left to their own discretion. The body of bishops in any country were a court perpetual for the trial of all offences of their own order,—and it was of the essence of their divine right to suspend any man until they were satisfied he ought to be restored. He pronounced that no authority could be quoted to show that Bishops have no power to make suspension indefinite, or that they cannot remove it when they see fit. It was the doctrine of the Church that orders and jurisdiction go together. Beveridge did not say that suspension should not be indefinite. The Episcopate was a Coparceny, and all had power to remedy the ills of any part as they may think expedient.

Mr. Williams wished to make one suggestion to the house before they proceeded to vote. He wished the bishops to have the power to say that the suspension should be perpetual in order that the presbyters might not be tied to him. The presbyter when he was ordained was just as much by divine right as the bishop. He did not want to take away that power to suspend, so that a parish could not suspend a presbyter—whether a bishop should be liable to suspension or not.

Mr. Gallagher suggested that the gentleman might gain his objects by adopting the first amendment of the House of Bishops.

Rev. Dr. Van Ingen was quite astonished at the argument which had been offered. Here gentlemen were proposing to make a distinction between perpetual suspension and degradation and deposition—the former being considered an interm diale punishment between indefinite suspension and deposition. Perpetual suspension, he contended, wus the most aggravated punishment which they could pronounce.

Judge Jones said that if the bishop had been guilty of offences so great as had been represented, let him be deposed—not keep him in perpetual suspension.

Mr. Gallagher would point out a distinction between the vote which was proposed this morning and the present proposition. The former was an expost facto law, the other was not. He did not understand that a sentence of perpetual suspension was irrevocable.

Dr. Van Ingen conceived that it was irrevocable.

Mr. Gallagher thought the House of Bishops would not so decide.

Mr. Evans thought the gentleman in error. He supposed it to be the settled policy of the church that a deposition was not to be revoked—that the subject should become a layman—dig, plough, study medicine—practice his [Mr. E.'s] profession if he saw fit, or anything else. The position of the gentleman was, that they were to have two kinds of suspension, revocable and irrevocable; it wanted no such distinction.—When the bishop became so guilty as to be perpetually suspended, let him be deposed.

Mr. Gallagher argued in favor of his position, on the ground of mercy.

Mr. Wharton conceived the difficulty had arisen from the discussion about jurisdiction, in connection with suspension.

Rev. Dr. Wheat conceived that if the term "perpetual suspension" was to be retained, it must be necessary to accompany it with a glossary to refer to. He could not see any difference between perpetual suspension and deposition. He hoped, therefore, that the house would not concur with the amendment of the house of bishops.

The question of non-concurrence with the amendment was then put and carried.

Mr. Williams moved to strike out the words "priest and deacon," which was not agreed to.

The question recurring on concurring with the amendment of the house of bishops,

Rev. Mr. Young expressed the hope that the house would not pass upon it until they had more time to reflect upon it.

The canon as amended was then adopted.

The third canon was then taken up and read. The amendment of the House of Bishops were non-concurred in.

Mr. Williams then moved to amend by adding the proposition which he had proposed in the morning. It was substantially the only relief which the committee of twenty in the diocese of New York said was the only practical relief which could be afforded to them. The practical effect of the proposition from the Convention, so far as the Episcopate was concerned, was to make the diocese of New York, already too large, still larger, by joining another diocese to the jurisdiction of a bishop on this to another. He took occasion to say that he believed the restoration of the bishop morally impossible. The idea that any bishop, who was convicted by a vote of ten to one. (Cries, "order," "order,") He repeated that his proposition was the only one which could afford the relief which the committee of twenty had asked. He had to say that if New York did not obtain the relief which she had sought, the fault was at her door and that of those who adhered to her.

The Secretary wished to ask the gentleman to show the difference between his proposition and that of the gentleman's from Pennsylvania.

Mr. Alston thought the canon was modified in some respect.

Mr. Delano would be glad if they could all meet there without any private opinion, or wish for success. He did not say that this strife for private victory did prevail there; but he feared it did. He feared that the proposition would prove to be of great injury to the church.

Judge Chambers said that the committee on forming this canon, adopted the old canon so far as they could. That canon was the settled law of the church. It had been practiced upon by various dioceses. He hoped the canon would not be amended.

Mr. Seymour was opposed to the multiplication of assistant bishops in the way that was suggested by the gentleman. He would never believe that the bishop of New York would stand before the world as one who had contumaciously obstructed the Episcopate. He firmly believed that the greatest misfortune which could fall upon the diocese of New York would be the election of a bishop, because of the great excitement which pervaded the diocese.

It was the spirit of party feeling which had created the embarrassments under which they were laboring. Wait until the excitement of the moment had subsided, and they would be able to come to some desirable conclusion. He hoped the Convention would adopt measures which would allow the excitement in the diocese to subside. He believed the measure now before the House would have this effect.

Rev. Dr. Forbes would offer a few remarks directly upon the proposition of the gentleman from Virginia. It involved principles of the gravest importance to all—so grave that he was not fully prepared to consider it. His objections to the proposition were these. The proposal to elect a provisional bishop was contrary to all law. There was a bishop in the see of New York. The objection was fundamental Again, the bishop might be continued in the diocese, on the restoration of the primary bishop, as his assistant, even if he did not consent thereto. Again, he could not agree to the proposition as a matter of expediency. It would engender strife between the two bishops. There was no conceivable way of relieving the diocese except by terminating the sentence.

Mr. McFarland objected to the remarks; they would inevitably lead to a reply, which was not under present circumstances, desirable.

Rev. Dr. Forbes briefly rejoined, he was opposed to the amendment It was at variance with all law, all usage, and all Church principle. There is a bishop (though suspended,) in this diocese, and no other can be chosen. Another radical difficulty; that the new bishop be the assistant—introduced without the consent of the principal: a thing never heard of, or imagined before, in the ancient church, the mother Church of England, or our own. The arrangement, even if otherwise practicable, would be, on many important accounts, undesirable. There is no other way, he verily believed, of relieving ourselves of our difficulties, but by the termination of that sentence.

Rev. Mr. Vail conceived that the proposition of the gentleman from Virginia was very much misunderstood. He endeavored to make it plain. He thought the principle involved was not new, but was implied in one of the existing canons, recognized already by the Church in its canon VIII of 1832; in which is the following passage:—

> "The Assistant Bishop shall perform such Episcopate duties, and exercise such Episcopal authority in the Diocese, as the Bishop shall assign to him: and in case of the Bishop's inability to assign such duties declared by the Convention of the Diocese, the Assistant Bishop shall, during such inability, perform all the duties and exercise all the authorities which appertain to the office of Bishop."

Mr. McFarland made a few remarks explanatory of the vote which he should give.

Half-past nine having now arrived, the vote on Mr. Williams's amendment was taken, and lost by the following vote:—

Vote on Mr. William's amendment.

Clergy, whole number of dioceses voting, 18; ayes, 5; noes, 19; divided, 4. Laity. Whole number, 24; ayes, 5. noes. 18; divided, 2.

Clergy.

Maine.—Rev. Messrs. Pratt, Bent, Burgess, and Fales, Aye.

Rhode Island.—Rev. Dr. Crocker, Rev. Mr. Vail, Aye.

Virginia.—Rev. Mr. McGuire, Rev. Dr. Jones, Rev. Mr. Mann, Aye.

Kentucky.—Rev. Messrs. Gallagher and Cowgill, Aye.

Ohio.—Rev. Mr. Muenscher, Aye.

Laity.

Maine.—Mr. Pratt, Aye.

Alabama.—Mr. Garrow, Aye.

Louisiana.—Messrs. Paine and Lobdell, Aye.

Ohio.—Messrs. Delano and Stamp, Aye.

Michigan.—Mr. Palmer, Aye.

Clergy.

New Hampshire.—Rev. Dr. Burroughs, Nay.

Vermont.—Rev. Drs. Hicks and Clapp, Nay.

Connecticut.—Rev. Drs. Croswell, Jarvis, Mead, Nay. Burgess, Aye.

New York.—Rev. Drs. Berrian, Brown, Sherwood, Forbes, Nay.

Western New York.—Rev. Drs. Proal, Van Ingen, Gregory, and Rev. Mr. Ingersoll, Nay.

New Jersey.—Rev. Drs. Barry, Ogilby, Rev. Messrs. Dunn and Watson, Nay.

Delaware.—Rev. Messrs. Billopp and Freeman, Nay.

Maryland—Rev. Drs. Wyatt and Mason, Rev. Mr. McKenney, Nay.

North Carolina.—Rev. Drs. Mason and Drane, and Rev. Messrs. Johnson and Hubbard, Nay.

South Carolina.—Rev. Drs. Hanckel, Rev. Messrs. Young and Trapier, Nay.

Florida.—Rev. Dr. Rutledge, Rev. Messrs. Scott and Adams, Nay.

Alabama.—Rev. Messrs. Hanson, Massey and Marbury, Nay.

Mississippi.—Rev. Mr. Merrill, Nay.

Louisiana.—Rev. Dr. Hawks and Rev. Mr. Preston, Nay.

Tennessee.—Rev. Dr. Wheat, Nay.

Indiana.—Rev. Mr. Halstead, Nay.

Michigan.—Rev. Messrs. Taylor and Large, Nay.

Missouri.—Rev. Mr. Griswold, Nay.

Wisconsin.—Rev. Mr. Davis.

Laity.

Vermont—Mr. Shaw, Nay.

Massachusetts—Messrs. Appleton, Rand, Newton, Codman, Nay.

Rhode Island—Messrs. Wardwell and Wilkinson, Nay. Mr. Grinnell, Aye.

Connecticut—Messrs. Huntington, Smith, and Ferguson, Nay.

New York—Messrs. Jones and Verplanck, Nay.

Western New York—Messrs. Hudson, and Seymour, Nay. Mr. Pierrepont, Aye.

New Jersey—Messrs. Gifford, Stratton, Parker and Aertsen, Nay.

Pennsylvania—Messrs. Cope and Wharton, Nay.

Delaware—Mr. Read, Nay.

Maryland—Messrs. Chambers, Evans, and Donaldson, Nay.

Virginia—Messrs. Colston, and McFarland, Nay. Williams, Aye.

North Carolina—Messrs. Collins, Page, Nay.

South Carolina—Messrs. Tucker, Allston, Nay.

Georgia—Messrs. Nightingale and Campbell, Nay.

Tennessee—Mr. Polk, Nay.

Kentucky—Mr. Bucklin, Nay.

Indiana—Messrs. Baily and Carter, Nay.

Illinois—Mr. Moore, Nay.

Divided—Laity.

Massachusetts—Rev. Dr. Vinton, and Mr. Lee, Aye. Rev. Dr. Edson, and Mr. Mason, Nay.

Pennsylvania—Rev. Drs. Bull and Neville, Aye. Bowman and Morton, Nay.

Georgia—Rev. Dr. Neufville and Mr. Bragg, Aye. Rev. Dr. Ford and Mr. Stevens, Nay.

Illinois—Rev. Mr. Dresser, Aye. Mr. Giddinge, Nay.

Laity.

Wisconsin—Mr. McVicker, Aye. Mr. Helfenstein, Nay.

The adoption of the canon as amended was then moved by Judge Chambers, which was agreed to.

The Secretary then called up the message from the House of Bishops as to the final adjournment of the Convention. He moved that 12 M. the 28th instant, be fixed upon for the time of adjournment, instead of the 27th, as recommended by the House of Bishops.

Before the motion was entertained, the House adjourned.

NINETEENTH DAY'S SESSION.

Wednesday, October 27th, 1847,—The House met pursuant to adjournment.

Morning Prayer was said by the Rev. J. J. Wheat, D. D. Rector of Christ Church, Nashville, Tenesse; assisted by the Rev. Paul Trapier, Rector of St. Michael's Church Charleston, S. C. reading the Lessons.

The Minutes of the preceding day were read by the Assistant Secretary, and approved.

The Chairman on Elections reported the names of gentleman asking leave of absence.

The Rev. Dr. Hanckel, Chairman of the Committee reported the following gentlemen as a Board of Missions for the ensuing three years, who were duly elected by the house.

Rev. A. H. Vinton, D. D.
Rev. N. B. Crocker, D. D.
Rev. H. J. Whitehouse, D. D.
Rev. P. A. Proal, D. D.
Rev. John D. Ogilby, D. D.
Rev. Benj. Dorr, D. D.
Rev. Wm. E. Wyatt, D. D.
Rev. A. C. Coxe,
Rev. George Woodbridge,
Rev. William Smallwood,
Mr. R. H. Gardiner,
Mr. S. H. Huntington,
Mr R. B. Aerston,
Mr. L. R. Ashurst,
Mr. J. B. Eccleston,
Rev. H. Croswell, D. D.
Rev. J. W. Cooke,
Rev. Jonathan. M. Wainwright, D. D.
Rev. M. H. Henderson,
Rev. William Suddards,
Rev. Thomas Atkinson,
Rev. H. W. Lee,
Rev. C. Hanckel, D. D.
Rev. Edward Neufville,
Mr. William Appleton,
Mr. Joseph Sands,
Mr. G. M. Wharton,
Mr. E. F. Chambers,
Mr. Josiah Collins,
Mr. J. G. Memminger.

The SECRETARY offered a resolution in effect that a joint committee be appointed on the part of the house, to make the usual arrangement for printing the journal of the present convention; also, that the treasurer be directed to pay the contingent expenses of the convention. Both of which were agreed to.

The Secretary also nominated G. G. Van Wagenen, Esq., for re-election as treasurer; whereupon he was duly elected, viva voce.

Rev. Dr. Forbes, from the Committee on Canons, suggested that it was desirable to take up for consideration, the most important subjects which remained; and as one of those he could call up the report of the committee on canons, in favor of amending canon nine, of 1841, so as to make the 4th section of the same read as follows:

Sec. 4. When a person applying to be admitted a candidate, wishes the knowledge of the Latin, Greek, and Hebrew languages, and other branches of learning not strictly ecclesiastical, to be dispensed with, the standing committee shall not recommend him as a candidate, until he has laid before them a testimonial, signed by at least two presbyters of this church, stating that, in their opinion, he possesses extraordinary strength of natural understanding, a peculiar aptitude to teach, and a large share of prudence; and the bishop, with the consent of the standing committee, shall have granted the dispensation. And in regard to the knowledge of the Hebrew language, in all cases in these canons the bishop shall have the whole discretion of dispensation.

Also in favor of repealing canon 6th of 1844.

A protracted debate ensued.

Rev. Dr. Hawks proposed, as a matter of compromise, that the amendments proposed in the 9th canon of 1841, be agreed to, and that the house abstain from repealing canon 6th of 1844.

Rev. Dr. Ogilby moved that the whole subject be laid on the table, as there was not time for a minute discussion, such as gentlemen seemed disposed to indulge in.

The motion being lost,

Mr. Collins, of North Carolina, then moved that the report be amended with regard to the 6th canon, by striking out the 6th section.

Rev. Dr. Hawks then renewed his motion to divide the report of the committee, and to dissent from the recommendation to repeal canon 6, of 1844. The motion prevailing,

Mr. Collins moved the introduction of a new canon, which should be the same as the 6th canon of 1844, with the exception of the 5th section, which is as follows:

"Section 5. A deacon ordained under this canon shall not be entitled to a seat in any convention, nor made the basis of any representation in the management of the concerns of the church."

This motion also prevailing, was ordered to be sent to the House of Bishops for their concurrence.

Rev. Dr. Hawks then moved to accept the report as amended.

Before the motion was put, the house resumed the consideration of canon 9 of 1841.

Rev. Dr. Mead, the Secretary, hoped that no provision would be made for the introduction into the ministry of uneducated or half educated men.

Rev. Dr. Forbes hoped there would be no hasty legislation on the subject, the wants of the church did not require it.

Rev. Dr. Crowell moved to lay on the table the proposed amendment to canon 9, of 1841.

Considerable debate ensued in regard to the propriety of ordaining clergymen at an earlier age than twenty-seven, as prescribed by the canon.

Mr. Collins argued in favor of ordaining them at an earlier age. It was a fact, that men arrived at maturity six or 8 years earlier in New Orleans than in Vermont; and they wore out six or eight years earlier also.

Mr. Wharton suggested that this was the effect of men of mature age going to New Orleans.

Rev. Dr. Forbes moved that the whole subject be indefinitely postponed, as there was not time for a full and adequate discussion of the subject.

Mr. Memminger spoke in favor of striking out the proposed amendments with regard to distinctions of age. He would admit men to the ministry at 21 years of age, if properly qualified.

Rev. Dr. Forbes then withdrew his motion for an indefinite postponement, as he was not likely to effect his object. He was opposed to all efforts to lower the standard of the ministry.

Mr. Bucklin, of Kentucky, said that it might be true that the standard for the ministry should not be lowered in New Jersey, and the Northern and Eastern States, but it should be lowered at the West. There were numerous men of piety and talent there who could not come up to the full standard of education required by the Church, who, nevertheless, were men eminently fitted for the ministry, and ought not to be excluded.

Rev. Mr. Gallagher spoke to the same effect. He was opposed to the restriction of twenty-seven years of age. The appeal to them to withdraw the whole subject and make them wait for three years longer before the restriction could be made, would tend to stagnate the interests of the Church in the West.

Rev. Dr. Van Ingen thought they could have no intellectual scales by which to weigh the mental power of the candidate at twenty-two.

The amendment to canon 9th was then agreed to by the House.

A message was here received from the House of Bishops, announcing their concurrence with the House of Deputies in their election of a Board of Missions; also, their concurrence in the appointment of a joint committee to attend to the printing of the Journal of the General Convention, &c.

Mr. Evans moved that the consideration of the canon on the trial of Bishops be postponed till the next General Convention, which was agreed to.

Hon. Mr. Ingersoll suggested some action in relation to the proposed amendments to the canon entitled, "of the differences between ministers and their congregations."

On motion of the Rev. Dr. Vinton, the consideration of the same was postponed till the next Convention.

Mr. Lucius C. Duncan, in behalf of the special committee of five laymen appointed at the last Convention to inquire into the claims of the Church arising under the will of Chas. Morgan, Esq., deceased, late of New Orleans, submitted a report, which was accepted, and set forth that nothing had come out of their researches.

Rev. Dr. Hawks then called up the canon which had been reported by the committee on canons, entitled "Of the certificates to be produced by a Bishop elect, in order to his consecration, and other proceedings touching the same." In accordance with the instructions of the committee, he asked for the adoption of the same.

Rev. Mr. Edson, of Massachusetts, moved that the canon be laid over to the next Convention.

Rev. Dr. Hawks said that this subject had given rise to the most painful scenes which had ever occurred in General Convention. If the object of keeping out unworthy men could be accomplished without such scenes, it was the duty of the House to change the present law. He spoke of the hardship of Mr. Britton's case, and of his own knowledge of the truth of the facts.—The objections to his learning were unfounded, for he had been ordained without asking a dispensation as to Hebrew. He had his information from the gentleman himself. He begged the House to prevent such scenes for the future, and hoped the canon proposed would be passed. He then read the proposed canon, which he believed provided better guards against the admission of unworthy men than existed at present.

Rev. Dr. Bowman argued in favor of taking immediate action on the canon, with the view of superseding the existing one with a better one, on the ground that great injustice had been done to the Bishop elect of Illinois during the late discussion and action under the existing canon. He believed that imputations were cast upon the character of that individual, which could never be fully wiped away. But it was their duty to make all amends in their power for the injury which they had done him, and the immediate adoption of a better canon would tend to do this. If he had himself done that individual an injury by his vote on that occasion, he was happy to avail himself of this opportunity to say that it was done unwillingly, and was to be attributed to the injudicious canon under which they acted.

Rev. Dr. Jarvis, Chairman of the Committee on Canons, who drew up this canon, said that this was the unanimous action of the committee. He was a little surprised that the gentleman from Pennsylvania, so great an advocate for the purity of Bishops, should oppose it. The introduction of the two-thirds principle had reference to that end. That has been to secure the strongest kind of testimonials as the grounds of the consent of the Convention to the election. He, at some length, vindicated the canon on those grounds. He had no objection to the postponement if the gentleman wished to examine it. But he thought it would be better to act on it now; as tending to the attainment of what all professed a desire to attain.

Mr. Memminger suggested that the adoption of the proposed amendment would render the whole canon incongruous, and make it necessary to remodel it entirely.

Rev. Dr. Burgess said that in consequence of the recent action of the House with regard to himself, (signing the testimonials in favor of his consecration) he felt some little indelicacy in speaking upon this subject. He would, however, suggest one other objection to the canon; it was this:—it would delay the appointment of a Bishop, in case of the death of a diocesan, from fifteen to twenty-two months. He hoped, therefore, it might be laid over till the next Convention.

The motion to postpone the consideration of this canon till the next General Convention, was then put and carried.

The committee on canons, who were directed to enquire into the expediency of amending canon XXXI. of 1832, entitled, "Of the officiating of ministers of this church in the churches or within the parochial cures of other clergymen," having reported an additional section, the subject was called up for consideration; and, after a brief debate, referred to the next General Convention.

A message from the House of Bishops was here received, stating that they had concurred in the amendment proposed to the 1st canon entitled "of the remission and modification of judicial sentences," and had passed the same as amended.

The canon, as now adopted by the concurrent vote of the two houses, is as follows:—

Of the Remission or Modification of Judicial Sentences by the House of Bishops.

The bishops of this church who are entitled to seats in the House of Bishops may altogether remit and terminate any judicial sentence which may have been imposed, or may hereafter be imposed by bishops, acting collectively as a judicial tribunal, or modify the same so far as to designate a precise period of time or other specific contingency, on the occurrence of which such sentence shall utterly cease and be of no further force or effect. Provided that no such remission or modification shall be made except at a meeting of the House of Bishops during the session of some General Convention, or at a special meeting of the said Bishops, which shall be convened by the presiding Bishop, on the application of any five Bishops, three months' notice in writing of the time, place and object of the meeting being given personally to each Bishop, or left at his usual place of abode: provided, also, that such remission or modification be assented to by a number of said Bishops, not less than a majority of the whole number entitled at the time to seats in the House of Bishops: and provided, further, that nothing in this canon shall be understood to repeal or alter the provisions of canon XXXIX, of 1832.

Rev. Dr. Jarvis said he had been instructed by the committee on canons, to move that the canon on Episcopal visitations be laid over to the next Convention—which was agreed to.

Rev. Dr. Mason offered a resolution to the effect that the Convention in authorizing the use of translations of the Prayer Book, did not sanction any inference which might be made in regard to doctrines; which was referred to the committee on the Prayer Book.

Rev. Dr. Mead Secretary, moved that the House appoint a committee to inform the House of Bishops that the House had completed its business, and was ready to adjourn.

Some member suggesting that the concurrence of the house of delegates would be required to one of the canons, which the House of Bishops were acting upon.

Dr. Mead said his object was not to exclude business, but to let the House of Bishops know that they were ready to go home, and did not wish to be detained by the House of Bishops.

The motion prevailing, Rev. Dr. Van Ingen and Mr. Bailey were appointed the committee, with instructions to wait on the House of Bishops and inquire whether they had any communication to make to this house for its action.

Rev. Dr. Mason submitted a report in favor of procuring a translation of the Prayer Book in the Danish language, and recommending that an edition of the same be prepared and published in the French language. The report was accepted.

Judge Chambers having just learned that a committee had been appointed to wait upon the House of Bishops, and inquire if they had any business requiring the concurrence of the House of Deputies, said he thought it very discourteous. He did not see how the House of Delegates had a right to send an officer to the House of Bishops, and say to them, "Gentlemen, you are very lazy, we want you to hurry up." He hoped the order would be reconsidered. After some further discussion, the vote to send said committee was reconsidered.

Dr. Mead then called up the message from the House of Bishops, proposing a final adjournment this day, (the 27th Oct.) and moved a concurrence on the part of the House. He thought it showed a great want of respect—contempt even—to take no notice of the message.

A message from the House of Bishops was here received, stating that they did not concur with the amendments the House of Delegates had made to the second canon of the joint committee, entitled "Of the penalty of suspension."

Rev. Dr Hawks moved that a committee of conference be appointed on the part of the House of Deputies, so consider and report upon the same.

Rev. Drs. Hawks and Jarvis, and Mr. Wharton were appointed on that committee. Mr. Wharton declining, Judge Chambers was substituted in his place. Dr. Hawks said that as he was in favor of concurring with the House of Bishops, it would seem proper that he should not be appointed on that committee. The Chair concurring in the view, Rev. Dr. Ogilby was appointed.

The House then resumed the consideration of the message from the House of Bishops in regard to a final adjournment. After some discussion, the Rev. Dr. Hawks moved that unless the House adjourn at an earlier period, it would adjourn *sine die* at 12 o'clock to morrow (Thursday) and that the concurrence of the House of Bishops be requested to the same. The motion was passed.

A message was here received from the House of Bishops stating that they concurred in appointing a committee of conference on the canon entitled, "Of the penalty of suspension," and had appointed Bishops Johns, Hopkins and Lee on the committee.

On motion, the House then took a recess until seven o'clock.

EVENING SESSION.

The House re-assembled at seven o'clock.

The joint committee appointed at the last session to take into consideration, the resolutions of the Hon. Mr. Newton, of Massachusetts, proposing sundry amendments to the constitution of the General Theological Seminary, submitted a report, with the following recommendations:—

1st. That the General Convention has no right to interfere with the already vested rights of the diocese of the church.

2d. That the General Convention has not power, except with the concurrence of the board of trustees of the Seminary and of the General Convention, to alter the constitution of the Seminary.

3d. That the adoption of Mr. Newton's 1st, 2d, 3d, and 7th proposition is inexpedient.

4th. That the committee deem it most expedient to refer back the 4th and 9th propositions to the General Convention, without the expression of any opinion.

The committee also presented the proxy system to the convention as a subject worthy of consideration.

Mr. Williams, of Virginia, moved that the consideration of the report be postponed till the next Convention, and that the resolutions, together with the propositions of the Hon. Mr. Newton, be published meanwhile.

Rev. Dr. Forbes moved the adoption of the resolutions appended to the report.

Hon. Mr. Newton, of Massachusetts, hoped the resolutions would be adopted, and the subject be disposed of at the present Convention.

The question of postponement to the next General Convention was then put and carried.

The committee on expenses, to whom was referred the treasurer's report, then reported that they had audited the report, and found it correct. The balance remaining in the hands of the treasurer was $1281 07. Several quotas remained unpaid, but sufficient funds were on hand to pay the same.

The Secretary then called up the message from the House of Bishops, directing the Treasurer of the Convention to furnish the Registrar of the House of Bishops, the amount necessary to defray his expenses.

Rev. Dr Mead moved that the house concur with the House of Bishops, provided the same be paid out of the balance remaining after the contingent expenses of this house have been paid. The motion was agreed to.

Mr. Williams moved that a committee of six be appointed to translate the Prayer Book into the Danish language, to be named by the Chair at his leasure, which was agreed to.

Judge Chambers then submitted the report of the joint Committee of Conference, in relation to canon 3d of the Joint Committee on the New York resolutions. The Committee concurred in recommending the following resolution:—

Resolved, That the House of Bishops agree to adopt the canon as amended by the House of clerical and lay deputies.

Judge Chambers remarked that the report was signed by every member of the Committee.

Rev. Dr. Proal inquired what action had been taken with regard to the proposition, submitted at the last Convention, in favor of publishing an edition of the Prayer Book in the Welsh language.

Mr. Seymour suggested that the committee be increased by adding some individuals who, from their location, might feel an interest in the subject.

Hon. Mr. Newton thought it would be an inducement to Welch emigrants to unite with the Episcopal church if they should have an edition of the Prayer Book published in their own language.

Rev. Dr. Proal then moved that a new committee, to consist of three persons, be appointed on the part of this house, to effect the object, which was agreed to.

A message was here received from the House of Bishops, stating that it had concurred with the amendment of the House of Delegates in regard to the registrar of the convention.

The Chair here anuounced the appointment of the Rev. Drs. Proal and Van Ingen and Rev. Mr. Hughes, as the committee on the Welsh prayer book.

Rev. Dr. Mead, in the absence of other business, proposed that the committee appointed at the last convention in relation to a standard edition of the Bible, be reappointed, which was agreed to.

Mr. Palmer, of Michigan, proposed that the 2d article of the constitution of the Episcopal church be amended so as to allow the convention to delegate the power of appointing substitutes for non-attending Deputies.

Judge Chambers spoke against the adoption of the proposition, on the ground that it would be presumption for the limited number of members present to call themselves the general convention of 1847.

A message was here received from the House of Bishops, stating that they had concurred in the resolution relating to a standard edition of the Bible, and that they had appointed Bishops Brownell, Doane and Whitingham ou the committee.

As the house was in want of business, Judge Chambers made one or two motions, to give members an opportunity to entertain the house with their remarks.

Mr. Evans concurred in the view that they had no right to assume to themselves the honorable appellation of the general convention of 1847. They were but the hinder part of it, and too few in number to claim such a distinction. He hoped the subject would be deferred to the next convention.

After some further remarks, somewhat humerous in character, by way of relaxation from the arduous duties to which the attention of the house had so closely been called, the consideration of the whole subject was indefinitely postponed.

Dr. Jarvis, in behalf of the committee on the canon law, appointed at the last convention, to take into consideration the canon law of the church, with a view to the preparation of a complete code, submitted a report, recommending, 1st. That a majority of the dioceses must be represented to constitute a quorum, and that each diocese should be considered sufficiently represented for the purpose, if one clerical or one lay delegate be present. 2d. That a majority of the committee were of opinion that three clerical and three lay delegates from each diocese to the convention, were amply sufficient, instead of four as at present required, and finally that the time was approaching when it would be expedient to hold the general convention once in seven, instead of three years, as at present; but doubting as to the propriety of making the change for some years to come. The committee suggested the propriety of their continuance, in order to have time to complete the business confided to them.

Hon. Mr. Newton rose to propose a serious question. Was it advisable to prepare, at this time, a complete code of law canon? In his opinion the time had not come for such an act. They had not the men qualified to prepare such a system, and it was not necessary. He would not venture to move that the committee be discharged from further consideration of the subject, although he thought such a proposition desirable.

Rev. Dr. Ogilby concurred with the views of the honorable gentleman from Massachusetts.

A message was here received from the House of Bishops, stating that they had passed resolutions to the following effect:—

That the triennial report of the Board of missions be received and printed, together with the documents read in connection with it, in the appendix of the journal.

2d. That the 7th article of the constitution of the board of missions be so amended as to introduce, after the words "foreign missions," in the 7th line, the proviso that any of the foreign missions which might have a bishop at their head, might, at the instance of such bishop, be placed under the charge and direction of a committee of three bishops, to be elected for the purpose at the general convention.

Rev. Dr. Ogilby proposed to lay the proposition in relation to the preparation of a code of canon law on the table, for the present; which being carried,

Hon. Mr. Newton moved that the House of Delegates do not concur in the adoption of the last named resolution.

After some further discussion of the subject, the hour of ten having arrived,

Rev. Dr. Ogilby said he thought it important that they should have an opportunity to consider the proposition calmly and leisurely, and for that purpose he moved an adjournment, which motion prevailing, the house then adjourned to half past 9 next morning.

Twentieth Day's Session.

Thursday, Festival of St. Simon and St. Jude, Oct. 20th, 1847.—The House met pursuant to adjournment.

Morning Prayer was said by the Rev. Thomas Billopp, Rector of Immanuel Church, New Castle, Delaware, assisted by the Assistant Secretary, the Rev. Edward N. Mead, Rector of St. Clement's Church, New York, reading the Lessons, and the Rev. James A. McKenney, of Georgetown, D. C., reading the Ante Communion.

The minutes of the preceding day were read by the Assistant Secretary and approved.

The Rev. Dr. Croswell submitted the Reports of the Missionary Bishops which were ordered to be published in the Appendix of the Journal.

Mr. Evans rose to disavow any intention to wound any member's feelings, by what he had said, incidentally and playfully, in the course of the last evening's debate.

The Committee on the Prayer Book offered a resolution that a Joint Committee be appointed to select a committee of three to revise the German Prayer Book. Carried.

The Committee on Elections reported a leave of absence in favor of a member. Granted.

The House of Bishops having resolved to appoint a Committee of Three (with the concurrence of the House of Deputies,) to take charge of the Mission (Bishop Southgate's) at Constantinople, the resolution came up for concurrence.

Mr. Collins, of N. C., was opposed to the proposition. He held that it was an unworthy yielding to improper influences, the result of agitation against the mission in question. He believed that, if allowed to prevail, it will prove to be the opening of a door to the utter overthrow of the Missionary System of the Church. He vindicated Bishop Southgate against the arguments of Rev. Dr. Burgess, who had expressed doubts, the evening before, as to the usefulness of the Mission, as now conducted. In ably vindicating the Mission, he went over the same line of argument, as that which was pursued, in the debates of the Board of Missions, and dwelt, with much force, on the efforts that had been pursued, by certain parties, to throw a prejudice over the character of the Bishop of Constantinople,—the result of which had been the most perfect acquittal,—and the adoption of a resolution expressing the fullest confidence in the Bishop, and the most perfect approbation of his course.

A message from the House of Bishops, apprising the House, that they had resolved *not* to adopt the recommendation of the Committee of Conference having been received.

Judge Chambers said that he presumed that they had all listened to this message with regret. It was unexpected. There was one expedient which he thought they might adopt, however, which would enable the two houses to part in unity—a state of things which was extremely desirable. Anticipating the result of the action on the part of the House of Bishops, he had prepared the following resolution, which, he hoped, would be adopted:—

Resolved, That the following message be sent to the House of Bishops:—

To the Rt. Rev. the Bishops—

Rt. Rev. Fathers:—This house has heard with deep regret your message disagreeing to the vote of the committee of conference. This house most respectfully and earnestly request your body to reconsider their decision on this subject, believing, as this house does, that the passage of the canon which was the subject of the conference, is most important to perfect the adjustment reported by the joint committee, and which adjustment this house regards as based upon such principles as both houses, and, indeed, all persons engaged in the late difficulties, could assent to without in any measure conflicting with opinions expressed by them.

Mr. Colston, of Virginia, thought agreement might be produced by striking out the word *perpetual*, and inserting instead "*without limitation of time.*" Mr. Williams concurred in the view that the word "perpetual" had better be stricken out. It was objectionable for several reasons, which he named.

Rev. Mr. Gallagher thought it would be extremely disrespectful to send such a message to the House of Bishops. He thought it would not effect a reconciliation. It seemed something like "brow-beating" the House of Bishops. To adopt the proposed amendment would neutralize the whole canon. He moved to lay the resolution on the table, and called for the question by dioceses. It would be a test vote.

Rev. Dr. Ogilby thought it would be a very unfair proceeding to put a test vote upon such a ground.—He conceived that his reverend brother had mistaken the real scope and object of the resolution. The object was to persuade the House of Bishops to re-consider what they had done, and relieve both houses from difficulty. He was on the joint committee of conference, and could speak from personal knowledge.

Judge Chambers said he would not argue that question, because it was not before the House.

Rev. Dr. Vinton opposed the resolution of Judge Chambers. He thought no practical result would flow from letting the Canon remain as the Bishops would have it. Although he was opposed to the principle of "perpetual suspension," and could not conceive how any body could differ with him on that point, yet, he thought, as nothing, for three years, could take place under it, it would be as well to pass the canon as it was.

Judge Chambers said the joint committee on the New York resolutions, had acted on the principle of compromise; and reported three propositions in the form of canons. The two houses had agreed to the 1st and 3d propositions, and the object now was to effect an agreement in regard to the third.

A message from the House of Bishops was here received, informing the House of Delegates that they had concurred in passing the canon of the discretion to be allowed in reference to deacons and presbyters in certain cases.

The hour of 12, which had been fixed upon for final adjournment being at hand,

Rev. Mr. Gallagher moved that a message be sent to the House of Bishops, informing them that this house would not be able to complete their business by 12 o'clock, and requesting them to withdraw their message of concurrence in the resolution to adjourn at that hour; which was agreed to.

The consideration of the message from the House of Bishops being resumed, the motion to lay the resolution on the table was withdrawn, and the question on its adoption taken by dioceses, with the following result:—

The clergy—ayes 17, noes 7, divided 4.

The laity—ayes 12, noes 6, divided 2.

So the resolution was passed.

Mr. Collins, of S. C. then resumed his argument against the proposition to appoint a Committee of three Bishops to look after the concerns of the Episcopate of Bishop Southgate. He said there was no principle in the case, for some foreign missionary bishops were allowed to be under the supervision of presbyters, provided they were presbyters harmonious with them. He mentioned what took place in committee.

Mr. Williams rose to order.

Mr. Collins justified himself.

Mr. Williams persisted.

Rev. Dr. Burgess rose to order.

Mr. Collins went on. He was obliged to go back, because the action of the Committee was brought before the House.

The Chair decided he was in order.

Mr. Collins substituted the word "objects" for "motives" and proceeded. They were told that that mission would be stopped if this proposition was not carried. They were told that a separate society would be organized for the pet missions. The public papers were full of the matter, and was he to be forbidden to tell those objects? The statements against Bishop Southgate had been of a most grievous nature, such as would have destroyed his character. He went into the particulars of the charges furnished by the officiousness of the Missionaries of the A. B. C. F. M. Yet the result was that not one charge was substantiated. He thought the word of a bishop and presbyters of our church was worth almost as much as that of a congregationalist. The vote acquitting him was unanimous in the Board of Missions. It was the duty then of all churchmen to yield—but no! There were conscientious scruples! Those who read congregational newspapers knew better, and that the Bishop of the Church *must* be wrong. And the money power was brought in too! Those congregations who gave largely, and this was to their praise, claimed the power of dictation. They said we give the money, and we go in for the true protestant view as we understand it. No one would dare to say that Bishop Southgate's character had not been triumphantly vindicated. On what ground then was the Mission opposed? That of Theological Error, and that judged by the opinion of a few unauthorized presbyters.—When *he* began to distrust Bishop Southgate, it would be because he was a convert to Congregational doctrine. Bishop Southgate had been barbarously attacked, and ought to be defended. He ought to be sustained by the church.

Mr. Williams said, the gentleman charged the House of Bishops with intending to destroy the mission at Constantinople, and had also attackod the Foreign Committee. *He* thought it necessary for the Bishop and the prosperity of his mission, that the proposition should be carried into effect. The fact was, that there was not, between the Foreign Mission Committee and the Bishop of Constantinople, that sympathy which was desirable.

A message from the House of Bishops was here read, announcing that they had concurred in the disposition proposed by the House of Delegates, with regard to the report on the General Theological Seminary—also, that that they acceded to the request to withdraw their concurrence in the resolution to adjourn *sine die* at 12 o'clock to-day.

Mr. Williams resumed, (with some interruptions from Mr. Collins.) He thought the friends of Bishop Southgate would not have brought forward a proposition fatal to the Mission. And as it was to be at his own request the change was made, if it was made at all, he thought it might fairly be supposed the Bishop understood his own business quite as well as the gentleman from North Carolina. The proposition originated in a spirit of compromise, and as such he hoped it would pass.

Mr. Collins wished to know if Mr. Williams attributed improper conduct to him? Mr. Williams justified himself for agreeing to the action of the Committee, with the understanding that he might be free to oppose it in General Convention. The proposition had been altered, for the three Bishops were to be elected by ballot, and might not be friends of Bishop Southgate.

Mr. Williams said they could not be worse than the foreign committee.

Mr. Collins said that was very true. But when he saw those opposed to Bishop Southgate so anxious to accommodate him, he could not but say, "*Timeo Danaos et dona ferentes.*"

Mr. Colston, of Virginia approved the proposition, though no friend of the Mission to Constantinople.

Mr. Collins interrupted, but Mr. Colston refused to hear his remarks. He had the floor and would not be put down. He said allowance should be made for prejudices on both sides. He said that the time might be coming when we might think it a *duty* to form a separate organization for Missionary purposes. He and his ancestors had ever been of the Church, and he would not be turned out of his inheritance.—He could not bear to be branded as having conngregational sympathies. He thought ungodliness worse than Congregationalism. We had better mend our own ways than abuse others.

Rev. Mr. Young, said a few words calculated to allay any misunderstanding. He was in favor of the resolution.

After some further remarks, a message was announced from the House of Bishops, stating that they had reconsidered their decision in relation to the canon "of the penalty of suspension," and had receded from its non-concurrence, and that it now concurred in passing the canon amended by the House of Deputies.

This announcement was received with manifestations of joy by the members of the House of Deputies, as happily terminating the disagreement between the two Houses.

CANON II.

Of the Penalty of Suspension.

Whenever the penalty of suspension shall be inflicted on a Bishop, Priest, or Deacon, in this Church, the sentence shall specifiy on what terms, or at what time said penalty shall cease.

CANON III.

Of the performance of Episcopal duties in vacant Dioceses, or in a Diocese the Bishop of which is under disability.

§1. Any Bishop, Assistant Bishop, or Missionary Bishop, may, on the invitation of the Convention, or the Standing Committee of any Diocese, where there is no Bishop, or where the Bishop is, for the time, under a disability to perform Episcopal offices by reason of a judicial sentence, visit and perform Episcopal offices in that Diocese, or in any part thereof: and this invitation may be temporary, and it may at any time be revoked.

§2. A Diocese without a Bishop, or of which the Bishop is for the time under a disability by reason of a judicial sentence, may, by its Convention, be placed under the full Episcopal charge and authority of the Bishop of another Diocese, or of a Missionary Bishop, who shall by that act be authorized to perform all the duties and offices of the Bishop of the diocese so vacant, or having the Bishop disabled, until, in the case of a vacant Diocese, a Bishop is duly elected and consecrated for the same, and in the case of a Diocese whose Bishop is disqualified as aforesaid, until the disqualification be removed; or until, in either case, the said act of the Convention be revoked.

§3. No Diocese thus placed under the full charge and authority of the Bishop of another diocese, or of a missionary Bishop, shall invite a second Bishop to perform any Episcopal duty, or exercise authority, till its connection with the first Bishop has expired, or is revoked.

§4. Canon 3, of 1838, is hereby repealed.

Another message was soon after received, stating that the House of Bishops had passed a canon to be entitled "of Episcopal resignations." The canon provides that §1, 2, 3, and 4, shall be the same as in canon 4 of 1844, and that §5 shall provide that when a suspended minister desires to resign, he may send a letter to the presiding Bishop, who shall lay it before the rest; a majority of whom agreeing, the resignation shall be considered as being accepted.

It was moved that the House do not concur in the resolution from the House of Bishops, in regard to the Constantinople mission.

The diocese of North Carolina called for the vote by dioceses.

After several of gentleman had explained the votes which they should give, amid repeated cries for the question, the names of the members were called over, and the question carried by the following vote:—

Clergy—whole vote of dioceses voting, 27. Ayes, 14, noes 11, divided 2.

Laity—Whole number 18. Ayes 11, noes 5, divided 2.

Dr. Ogilby presented a report of the joint committee to whom the communication of the historiographer of the Church was referred, with a resolution recommending that the several dioceses aid as far as may be, in carrying on the work of the historiographer. The resolution was adopted.

The canon from the House of Bishops, of episcopal resignations, was then taken up.

Judge Jones thought the canon would be wholly inoperative if it was intended to be applied to any innocent bishop who should resign; no Bishop could resign under it without admitting himself to be guilty. He hoped that it would be modified if it must be passed.

Rev. Dr. Ogilby desired to say, with all respect to the House of Bishops, that he thought the canon no more or less than an absurdity. He moved to lay the message on the table. The vote being called for by dioceses, it was then taken with the following result:—

The Clergy—Whole number of dioceses voting, 26—ayes, 11; noes 12;—divided 3.

The Laity—Whole number, 18—ayes, 8; noes, 9; divided 1.

So the motion to lay on the table was lost.

On motion, the consideration of the canon was referred to the next General Convention.

On motion, Rev. Dr. Hanckel, and D. B. Ogden, Esq., were then appointed a committee to wait on the House of Bishops, and inform them that they had concluded their business, and were ready to receive any communication from that body.

After a brief pause, a message from the House of Bishops was received (delivered by the Rev. Dr. Wainwright, the Secretary of the House of Bishops,) announcing that they had unfinished business before them, and that it was impracticable for them to adjourn at that time. They therefore proposed to take a recess until half past 7, P. M., at which time the Bishops would be prepared to read the pastoral letter.

The House of Delegates concurring in the proposal, then took a recess.

Evening Session.

The Convention re-assembled at 7 o'clock.

The President having called the House to order, the minutes of the morning session were read and approved.

Rev. Dr. Burroughs rose to present a proposition which he thought would meet the approbation of all. With a few handsome remarks, he moved that the thanks of the House be presented to the Rev. Dr. Wyatt, for the dignity, faithfulness, and impartiality with which he had filled the chair. Carried unanimously.

The thanks of the Convention were also presented to the Secretary, and assistant Secretaries, for the able performance of their duties.

The President briefly responded to the resolution regarding himself. Under a strong sense of his imperfect qualifications for the office with which he had been so often honored, the Chair could not but express gratefully and affectionately his acknowledgments for the obliging regard just manifested.

The Secretary inquired whether any instructions were to be given him with regard to procuring a suitable building for the meeting of the next General Convention.

Hon. Mr. Newton thought the present Convention could not bind a future one as regarded the place of meeting, whether it should be a secular or a sacred building, &c.

Dr. Mead thought it would be better to leave the subject in the hands of the officers of the House, and if so left, he assured them that he should not obtain a secular building.

No objections being made, this was considered to be the understanding of the House.

An invitation was here read to the following effect:—

"The subscriber would respectfully invite the members of the Convention to examine the clock in Trinity church, to-morrow, at half-past 9 o'clock.

[Signed] Mr. Rodgers.

A message from the House of Bishops was here received, stating that they had passed the resolution proposed by the joint committee on the letter of the Rev. Dr. Jarvis, historiographer of the Church; that they had concurred in passing the canon entitled "of candidates for orders," that they had concurred in the resolution relating to the publication of an edition of the Prayer Book in the Welsh language, and had appointed a committee on the same; that they had concurred in passing the canon on the mode of publishing authorized editions of the Prayer Book; that they had concurred in the resolution relating to the publication of the Prayer Book in German, and had appointed a committee; and that they had not concurred in the resolution relating to the Common Prayer Book in Danish.

A message was subsequently received announcing that they had passed a resolution returning the thanks of the General Convention to the corporation of Trinity Church for the use of St. John's Chapel, and for the liberal supply of whatever was needed for the accomodation of both Houses during the present session.—The resolution was concurred in.

Rev. Dr. Wainwright, Secretary of the House of Bishops then appeared, and said he was directed to inform them that the House of Bishops was ready to meet the House of Deputies, and present to it the pastoral, and join in the concluding devotions of the Convention.

The House then having suspended its session, the House of Bishops entered, and took seats around the chancel.

After kneeling for a few moments in silent worship, Bishop Chase, of Illinois, President of the House of Bishops, rose and said, "The pastoral letter will now be read by the Bishop of Virginia. He is selected as the most proper person to read the letter at this time. We hope that this audience will attend to it with due solemnity, and with gratitude to God that our Bishops are able to give so affectionate an address. We hope for your serious and devout attention.

Bishop Meade, of Virginia, then read the pastoral letter.

The two Houses then united in singing 4 stanzas of the ninety-ninth selection of Psalms; when a collect for Christian unity was read, and the benediction from the service for the sick was pronounced by the presiding Bishop.

The House of Bishops having retired—

On motion, ordered that 2000 copies of the pastoral letter be printed.

The House then adjourned *sine die.*

THE CHURCHMAN.

NEW-YORK, SATURDAY, NOV. 6, 1847.

We devote most of our paper, this week, as well as last week, to the proceedings of the Convention, purposing to review them in our next, so far as they relate to our Bishop and Diocese.

We acknowledge our obligations to the several gentlemen who have kindly written out their speeches for our Journal. The Rev. brother who has faithfully and ably superintended the reports, gives us the following, in reply to a paragraph in the Courier & Enquirer:

In the preparation of our report for the Churchman of the proceedings of the General Convention, we have endeavored to give a full and impartial statement of everything that was said and done. To this end, and with the express permission of some of the Journalists who were in attendance throughout the late session, we availed ourselves of their invaluable services, by collating such portions of their published reports of the proceeding of each day, as were not only better than our own, but, as with our own, made the whole more perfect and entire. We intended, however, ere we terminated our labors herein, to acknowledge the courtesies which had been extended to us, and to express our obligations to the fullest extent for every favor conferred. It was therefore with the more regret and surprise we learned that we had been publicly complained of, by one of those journalists in a manner, which to say the least, did seem to us not very gracious, after the understanding which as we have stated, was had upon the subject. It is now, therefore, due to ourselves to say, that it is *not* a fact that we have copied the greater part of our record from the columns of the "Courier & Enquirer." We are as much indebted to the "New York Express," and to the "New York Herald," whose reports were equally admirable, as to the "Courier & Enquirer," save and except for Dr. Hawks' speech. Indeed, if a comparison were made, it would be seen that not only, perhaps, no other speech is precisely the same, as given in the Churchman, but that speeches are found in our columns which appear nowhere else, simply because some of the papers reported only in part, not *in extenso*, and others took little or no interest in the proceedings of the Convention after Dr. Hawks had delivered himself of his mammoth effusion. The speeches of the Rev. Dr. Ogilby, the Hon. Mr. Ingersoll, Judge Chambers, Mr. Wharton, Mr. Hudson, and the Hon. Chief Justice Jones, were re-written expressly for the Churchman, and as it is yet further in contemplation to republish in pamphlet form, the whole of the foregoing proceedings, we shall feel obliged to our clerical and lay friends to send to us, under cover, to the office of the Churchman, whatever alterations, additions or corrections they may wish to make, that our record may be in every way satisfactory and worthy of the church.

We had not intended to refer to the proceedings in the House of Bishops before the publication of the Journal of the House; but as a statement, which we believe to be erroneous, has appeared in a daily paper, we deem it proper to copy from the New York Tribune a counter statement which we believe to be substantially correct:

Case of Bishop Onderdonk.—We learn from good authority that there was a serious error in a statement which appeared in the *Courier and Enquirer*, in relation to the action of the Court of Bishops, on the case of Bishop Onderdonk. It is not true that the House of Bishops adopted the Report prepared by the Committee of *five* of their number. They refused to adopt it. Nor, as we are assured, can that Report be considered a proper reply to the argument contained in Bishop Onderdonk's Memorial. It was the aim of his Memorial to show the illegality of the sentence pronounced upon him. But, as our informant says, the Report of the Committee was rather a reply to the several arguments which have been published in the Churchman, touching the injustice of a penalty inflicted under an *ex post facto* law, the incredibility of the witnesses on the trial, and the fact that several Bishops sat on that trial who were confessedly hostile to Bishop Onderdonk—reasons have induced various eminent jurists of this and other States to pronounce the sentence, *null and void.* As the Report was not, therefore, considered appropriate, it was rejected by the body of the Bishops.

Nor were the majority—the *sixteen* who were opposed to the *six*—all unfavorable to the Bishop of this Diocese as would appear by the statement of the Courier. The circumstances were these: It was found that *thirteen* of the twenty-five Bishops were against, and *twelve* in favor of his restoration. His friends, finding a majority in the opposition, desired to avoid any action of an oppressive or injurious character, and therefore *four* of them united with twelve who were present and opposed to him, in a resolution that he have leave to *withdraw his Memorial.* This, it is obvious, will not shut the door to his future restoration. Two or three were absent at the time, among whom one, at least, was his friend. Had the remaining six united with his other friends in voting for the latter resolution, the reason for the action of these four would have been, probably, better understood, as they themselves subsequently explained it to the Bishop. The six, however, considered any measure insufficient, which did not directly provide for his restoration.

The Report of the Committee was, nevertheless, communicated to Bishop Onderdonk. Its language, we are informed, is so severe that, if it be permitted to see the light, it will be likely to be a greater benefit than injury to the suspended Diocese, whom his friends consider "more sinned against than sinning." And, indeed, it is not easy to understand how any part could reasonably expect a confession of guilt, and except a confession of guilt and evidence of special repentance, from a man who has, from the first, denied that he was guilty of any impure motive, whatever may be the opinion as to the truth of that denial.

One thing, as our informant remarks, is certain: The General Convention has settled that the Diocese is *not vacant*, and Dr. Onderfonk is, by consequence, the actual, though still suspended, Bishop of New York.—*New York Tribune, Nov. 2, 1847.*

P. S. Since the above was in hand, we have had the pleasure of seeing the following letter of Bishop Ives, addressed to the editors of the Courier and Enquirer. This is the second time, we believe, that Bishop Ives has exposed the Courier's departure from truth in Church matters; and in this instance, as in the former, the editors, in the apology into which they have been whipped, talk about the respectability of their authority, their informant's "high standing in the Church," &c. &c. It must be remembered that this means respectability in the estimation of the *Courier and Enquirer*, and standing in the Church which *it* considers high.

To the Editors of the Courier & Enquirer:—

Gentlemen,—I have just seen in your paper what purports to be an account of the final action of the House of Bishops on the memorial of Bishop B. T. Onderdonk. As that account, by failing to give essential facts, is calculated to create a false impression, you will allow me, in justice to myself and others concerned, to supply for the more full information of your readers the following particulars.

You say in your account, that "a Committee of five Bishops elected by ballot brought in a report *recommending unanimously* (the italics are your own) *that the Birhop have leave to withdraw his papers.*" One would certainly infer from this language, particularly in its connection with what immediately follows—that the Committee of five Bishops *unanimously concurred in the Report* "brought in." Whereas the Bishop of Michigan, appended to the Report his refusal to concur in it; while he only concurred in the resolution, which was distinct from the Report, and simply provided that "the memorialist have leave to withdraw his memorial"—a mere form in common use of respectfully declining to grant a petition.

At the conclusion of your remarks on the Report of the Committee, you say—"The vote on the *resolution*"—without informing us of its character—"was *sixteen* to *six*. The six were precisely the same Bishops who, on the trial, voted *not guilty*. Two Bishops, who would certainly have voted with the sixteen, were absent—viz, Bishops Smith and Potter. All present the vote would have been 18 to 6."—Your readers, from this statement, must inevitably suppose that this vote was on the *Report*, of which you speak as likely to terminate this unhappy case. While the fact is, the vote was on the *resolution*, distinct from the Report, and hence could not have been, in any respect, an exponent or test of the views of the Bishops on the report itself; as the following circumstance will show. Before the vote was taken on the resolution two or three Bishops, and they not of the six, inquired "whether by voting for the resolution they would be understood as *approving the Report*;" and were answered by members of the Committee, "certainly *not*." If the answer had been different, four of those I know by their own declarations, who voted *for* the resolution, would have voted *against* it. As to what would have been the course of the absent Bishop of Kentucky, you are doubtless right. But in respect to the views of the Bishop of Pennsylvania, I hesitate not to predict that the future will show you are wrong.

Of the Report of the five Bishops—which you so highly commend, I shall say nothing. It will soon be before the public to speak for itself. My only wish, in this communication, has been to prevent misapprehension as to the actual reception of this Report in the House of Bishops.

Very truly, your ob't serv't,
L. SILLIMAN IVES.

We have much pleasure in laying before our readers the following correspondence, and regret that our friend and brother, Dr. Price, has not been willing for the reasons he assigns, to comply with the very general wish of our clerical and lay brethren that his sermon should be published. We fully appreciate, however, his motive, and can only say that those who heard the Discourse, pronounced it to be a highly creditable production, and every way worthy of preservation.

New York, Sept. 30th, 1847.

To Rev. Joseph H. Price, D. D., Rector of St. Stephen's Church, N. Y.

Rev. and dear Sir:—The manner in which you performed your duty, in preaching our Convention Sermon, induces us to unite in conveying to you this expression of our thanks. Your happy selection of your subject, at this exciting crisis, and the able and effective discourse which you delivered, afforded us great pleasure. Your sound Gospel precepts, and wholesome lessons of "the wisdom that is from above," we naturally desire to preserve and perpetuate. and we therefore respectfully request a copy of the discourse for publication.

W. Creighton.
Thos. Lyell.
Wm. Berrian.
John Brown.
R. Sherwood.
Charles W. Hackley.
J. M. Wainwright.
Kendrick Metcalf.
S. Seabury.
J. F. Schroeder.
Benj. I. Haight.
W. L. Johnson.
Wm. Morris.
Isaac Pardee
S. M. Haskins.
O. Harriman, Jr,
George Sayres.
T. B. Gibson.
S. B. Bostwick.
D. V. M. Johnson.
W. A. Curtis.
Moses Marcus.
R. S. Howland.
Albert D. Traver.
H. Wheaton.
Henry D. Koven.
Richard Cox.
Wm. Alfred Jenks.
Wm. Walton.
John H. Hanson.
Alex. Leonard.
John M. Ward.
Thos. Mallaby.
S. Jones.
Floyd Smith.
&c. &c. &c.

New York, Oct. 29th, 1847.

To. Rev. Drs. Creighton, Lyell, Berrian, and others.

Rev. and dear Brethren:—I beg leave to return you my most sincere thanks for the very indulgent opinion you are pleased to express of my discourse before the late Diocesan Convention, in asking a copy for the press. If it has afforded to those whom I love and respect either profit or pleasure, it has answered all the purposes of its preparation, and it would be wrong to subject it to the criticism of those predisposed to make it a new subject of contention. It is a small sacrifice for me to make to the cause of peace and quietness. I therefore respectfully decline its publication.

Your Friend and Brother,
J. H. Price.

Our readers will observe in its appropriate place in our columns, the acceptance of the Rev. C. S. Henry, D. D., of the rectorship of St. Clement's Church, occasioned by the resignation of the Rev. E. N. Mead, who is about to visit Europe, to be absent for a year or eighteen months.

The Rev. Mr. Mead leaves a large circle of friends as well in the church at large in this diocese as the parish with which he has been connected for so many years, to regret his absence. At the same time, we cannot but congratulate the parish upon having secured the services of so talented and eminent a clergyman as Dr. Henry to succeed him.

In Rockland County, containing a population of 20,000, and within 30 miles of this city, the services of the Church have never been established; nor, till recently, had there been any clergyman of the Church within its bounds. This neglect is a reproach to the Church here, which an opportunity now presents of, in part at least, wiping off.

Under circumstances of great promise, as we can testify from personal observation, the work of the Church has lately been commenced in Rockland county, and is now in successful prosecution. The plan of the mission, and the appeal of the Presbyter who has undertaken it, must commend them to general and needful favor. We anticipate no lack of friends to approve and sustain the work so happily begun. It has our approval—may it have the necessary support.

Mrs. Pelby's Collection of Scriptural Statuary, now exhibiting at No. 411 Broadway, is exceedingly well worth seeing, and we hope will receive that patronage from the Christian public which it so eminently deserves. The subjects selected are all interesting, but the crucifix which obtained the medal from the late American Institute, is above all worthy of notice and of our highest commendation.

The Family Chaplain, and Church Chronicler. *Rev David Brown, Editor.* Vol. 1, No. 1. W. H. B. Smith & Co., No. 11 Spruce street.

We have to chronicle the appearance of a new Church periodical. The number for October is before us, containing 30 large double-columned pages, and filled with such matter, both original and selected, as will be found well suited for family reading. The object of the editor seems to be to avoid entirely all questions controverted within the Church, and to present nothing which may not be found acceptable by every family within her borders. He has made an auspicious beginning in the pages which we have just read, and we shall be glad if our commendation avail in any way to strengthen his hands.

The Chaplain and Chronicler is published on the fourth Wednesday of each month, at one dollar per annum for mail subscribers, and $1 25 for city subscribers by carrier.

Catawba River, *and other Poems, by the Rev. John Steinfort Kidney.*

This little volume is the fruit of a high order of mind. The author is evidently a young man who looks upon the outward world, and into the workings of his own bosom with the eye, and the feelings of a poet. The faults of the volume, we think, are, an occasional obscurity, and with a few striking exceptions, the prevalence of an atmosphere too coldly intellectual. But if a sense of what is beautiful, both in nature and the human heart, and a hearty love of it, together with a fine power of verse, give claims to the character of a poet, then, the author of this volume may undoubtedly be awarded the name. While there is but a small portion of religious poetry, strictly speaking, yet the whole is pervaded with an earnest, truthful spirit. Should the author give more and higher evidence of his poetic talents, we hope that he will use them more directly in exhibiting the truths and beauties of the Church, and the spiritual world. N.

Artist Life, *or Sketches of American Painters. By Henry T. Tuckerman, author of "Thoughts on the Poets."* D. Appleton & Co. 12mo. pp. 237.

To lovers of art among ourselves few volumes can prove more interesting and valuable than truthful and appreciative sketches of its chief creators. Now Mr. Tuckerman's volume on American painters contains indeed a long list of subjects, and has evidently been written by a devoted lover of at least one branch of art. To many then it will be valuable, for it presents a series of biographies not elsewhere to be met with. Had the biographical part of the volume been a little more minute, and the critical either omitted, or written intelligibly, or possessed of true ideas, we should have been better pleased, and readers in general more edified.

Of all the magazines which are laid on our table, Mrs. Kirkland's, The Union, appears to be the most likely to take the lead in the affections of the public, and the plaudits of reviewers. The number before us, that for November, is exceedingly rich in literary contents, Miss Sedgwick's "Cresent Beach," in our opinion, taking the precedence, unless indeed we except an ode in the original Chinese, accompanied by a more readable English translation. The engravings this month are, we are obliged to say, inferior to what the promise of the early numbers lead us to anticipate.

The Life of Henry the Fourth, *King of France and Navarre, By G. P. R. James, Esq.* Harper & Brothers.

The third part of this very interesting and valuable historical biography has just been issued. It is handsomely printed on good paper.

The Pictorial History of England. Harper & Brothers.

The 31st number, the last published, of this work begins the reign of Charles II., and continues it to the Monmouth rebellion. It is a little more marked by liberalism than any former numbers

The Columbian *for November* is quite equal to its immediate predecessors.

Clerical Changes.

The Rev. Dr. Henry has accepted the Rectorship of St. Clement's Church, in this city, and will enter upon its duties on Sunday next, the 23d Sunday after Trinity.

Letters and papers intended for the Rev. O. S. Prescott, to be addressed to him at Salisbury, N. C.

Married,

On the morning of the 3d inst., by Rev. Wm. Cahoone, William White, to Miss Adeline H., daughter of George Kinney, Esq.

Notices.

Protestant Episcopal Church Missionary Society for Seamen in the City and Port of New York.—A stated meeting of the Board of Managers of this Society will be held in the Sunday School-room of the Church of the Ascension, on Monday evening next, 8th inst., at half-past 7 o'clock.

Thos. P. Cummings, Rec. Sec'y.

November 6th, 1847.

Acknowledgments.

Domestic Missons.—Since his acknowledgment of the 26th ult., the Treasurer has received the following contributions:

From Sunday school of St Peter's, Morristown, N J, 2 75; Mt Calvary ch, Baltimore, Md, 20; Trinity ch, Newark, N J, 44 25; Calvary ch, New York, for Missions in Mich, 25; in Iowa, 25; W N Y, from a "sincere friend," 1; a friend of Missions, Brooklyn, monthly collection. 1.

THOMAS N. STANFORD, Treasurer,
New York, November 2, 1847. 139 Broadway.

Foreign Missions.—Since his report of Nov. 26th, the Treasurer acknowledges the receipt of the following amounts:—

From K S J, 37 cts; St Helena parish, Beaufort, S C, Africa. 30; China, 30—60; Christ ch, Bethany, Conn, Africa, 3; a friend to the Missionary, monthly contribution, Brooklyn, half, 1. Total, 64 37.

J. SMYTH ROGERS, Treasurer,
281 Broadway.

New-York, November 2, 1847

New York Bible and Common Prayer Book Society.—The Treasurer acknowledges the receipt of the following sums,

From Joseph W Winans, annual subscriber, 2; Edward Bourns, of Sing Sing, do, do, 2; Rev Thomas M Pesers, from a colored congregation near Yorkville, 60 cts; Mrs S A Hodges, annual, 2. Total amount, $6 60.

Donations and subscriptions thankfully received by
Thomas C Butler, Treasurer and Agent,
At the Depository, 20 John street.

New York, November 2, 1847.

The Missionary at Lake St. Croix, W. T., acknowledges with gratitude, the following contributions from friends in New York and Brooklyn:

From the Sunday school of the Church of the Holy Trinity, $25; Rev S R Johnson, $10; Stuart Brown, $10; D A W H A, $10; cash, $5; P A W, $5; J L A, $5; D A Cushman, $5; P Woodbury, $5; Rev Mr Forbes, $5; A Emanuel, $3; R S Carle, $2; cash, $3; G V Morgan, $2.

The undersigned is extremely anxious to make up the sum of five hundred dollars (including the above) towards erecting a small, cheap, and free church, and establishing a Parish School in the Valley of the Upper Mississippi. Contributions towards either of these objects, will be thankfully received.

E. A. Greenleaf, Missionary at
Lake St. Croix, Wisconsin Territory.

Protestant Episcopal Tract Society.—The Treasurer acknowledges the receipt of the following sums, viz:—

From Rev F H Cuming, annual subscriber, 2; Mrs S A Hodges, do, 1; a friend, donation, 1 55. Total amount, $4 25.

Donations and subscriptions thankfully received by
Thomas C. Butler, Teasurer and Agent,
At the Depository, 20 John street

New York, November 2, 1847.

The subscriber gratefully acknowledges the receipt of 16 Bibles, 8 12mo. Testaments, and 36 Prayer Books, with a good supply of suitable Tracts, from T C Butler, Esq, Agent, N Y Bible and Common Prayer Book Society.

B. B. Killikelly,
Missionary.

Delphi, Indiana., October 21, 1847.

FANNY FORRESTER'S PRACTICAL STORIES.
(*Revised Edition.*)

Charles Linn, or How to Observe the Golden Rule.
Allen Lucas, The Self-made Man.
The Great Secret, or How to be Happy.

"WHATEVER FANNY FORRESTER writes bears the stamp of genius—nor this only; it also bears the stamp of *moral* excellence." [Charter Oak

"Charles Linn ought to be read audibly in every family once a year, for the benefit of both parents and children. It is a little book with great thoughts, exhibiting a rare knowledge of the human heart." [Baptist Register.

"Miss Chubbuck, the authoress, now Mrs. Judson, and better known as 'Fanny Forrester,' never wrote a line that was not pleasing and instructive. Combining these two qualities in an eminent degree in her productions, she has succeeded most admirably in winning her way to the hearts of her readers. The work before us is worthy of her gifted pen. It should be read extensively." [Sat. Emp

"This book [Allen Lucas] possesses undeniable merit. The descriptive sketch with which it opens, is of rare finish. The characters, though hardly more than outlines, are clearly discriminated. Then it is of good moral tendency, and a safe book for the young reader." [The Churchman.

"Let them read this book [The Great Secret] and get lessons that will abide with them for a life time. It is so written as to be read with delight, and when read it will be remembered. There is consecutiveness and great variety." [Boston Reporter.

"Everybody, old and young, will feel the better for reading this book [The Great Secret.]" [Chu. Messenger.

L. COLBY & CO., Publishers,
Nov. 6—3t 122 Nassau street, New York.

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1.

APPLETON'S Library Manual. Containing a catalogue Raisonne of upwards of 12,000 of the most Important Works in every Department of Knowledge, and in all Modern Languages.

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2.

DR. JARVIS'S NEW WORK,
"*A Reply to Dr. Milner's End of Religious Controversy.*"
So far as the Churches of the English Communion are concerned. By the
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3

THE PSALTER; OR, PSALMS OF DAVID.
Together with the Canticles of the Morning and Evening Prayer, and occasional Offices of the Church;
Figured for Chanting.
To which are prefixed an Explanatory Preface and a selection of Chants.
One Volume 12mo. price 75 cts; or cheap binding, price 50 cents.

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ARTIST LIFE; OR, SKETCHES OF AMERICAN PAINTERS.
BY HENRY T. TUCKERMAN,
Author of "Thoughts on the Poets," &c.
One Volume, 12mo. price 75 cts.
November 6—1t

MRS. PELBY'S CELEBRATED COLLECTION OF
SCRIPTURAL STATUARY,
Consisting of the following Groups:
Representing Important and Interesting Subjects,
THE SIZE OF LIFE.
The Trial of our Saviour,
The Last Supper,
The Birth of Christ.

THE MORAL SCENE OF THE INTEMPERATE FAMILY, is now open at 411 Broadway, (late Walker's Music Rooms,) opposite the Apollo, every day from 11 A. M. to 10 P. M. On the Sabbath, after Divine Service, from 6 P. M. to 10 P. M. Admittance 25 cents, children half price—Teachers of schools free.

November 6—3m

THE MUTUAL BENEFIT LIFE INSURANCE COMPANY—Office, No. 11 Wall street—This Institution is distinguished by the following peculiarities:—

1st. When the premium is over $50 annually, one-fourth may be paid in cash, and three-fourths in a secured note, at 12 months, bearing six per cent. interest, or it may be paid half-yearly, quarterly, or monthly.

2d. Parties taking life policies and paying 50 per cent. of premium in cash, and those taking policies for shorter periods, and paying 60 per cent. in cash, may give their individual notes for the balance, if satisfactory to the officers. There is an annual dividend of profits made to the insured.

The business of the Company has been unparalleled during the time of its existence. To the 1st of November, 1847, (30 months) 4530 policies had been issued, and after paying all losses and expenses, there remained a nett capital of over $400,000. Statements of the business and all other papers of the Company, may be had by applying at the office of the Company, No. 11 Wall street, New York.

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Nov. 6—yl Medical Board of Consultation.

October Report.—THE MUTUAL BENEFIT LIFE INSURANCE COMPANY, 11 Wall-st, issued during the month of October, 18R7, one hundred and forty-two [142] new policies, viz:

To Merchants and Traders.	51	To Servants	6
Mechanics	17	Ladies	4
Clerks	10	Agents	3
Clergymen	9	Physicians	2
Seamen	9	Teachers	2
Manufacturers	8	Cashier of Bank	1
Lawyers	8	Naval Officer	1
Farmers	6	Other occupations	5

New policies in October. 142

ROBERT L. PATTERSON, President.
Benjamin C. Miller, Sec'ry.
Joseph L. Lord, Agent.
James Stewart, M. D. Medical Examiner, at the office daily, from 2 to 3 o'clock.
November 6th.—yl.

ORGANS—HENRY ERBEN, 172 Centre-street, offers for sale the following Organs:—

One Gothic Organ of twelve stops and one octave of pedal pipes; dimensions of case, 16 feet high, 10 feet 6 inches front, and 6 feet 5 inches deep.

One Grecian Organ of twelve stops, one octave of pedal pipes; dimensions of case, 13 feet 6 inches high, 10 feet wide, 6 feet deep.

One Grecian Organ of ten stops, one octave and a half of pedals; dimensions of case, 12 feet high, 7 feet 4 inches wide, 5 feet 8 inches deep.

Three Gothic Swell Organs of eight stops; dimensions of case, 9 feet, two and a half inches high, 6 feet 4 inches wide, and 4 feet deep.

Two Grecians of 8 stops, 10 feet high, 6 feet 6 inches wide, and 3 feet 5 inches deep.

Two Gothic Organs of 4 stops, 8 feet high, 5 feet 4 inches wide, 2 feet 6 inches deep.

A variety of Parlor Organs.
One second-hand Church Organ. One Seraphine.
November 3.

BOOK AND FANCY JOB PRINTING neatly executed at this office.
Checks, Drafts, Notes, Receipts, Bill-Heads, &c.
Executed with neatness and dispatch.

Hymn.

I cannot always trace the way
Where Thou, Almighty One! dost move;
But I can always, always say,
That God is love.

When Fear her chilling mantle flings
O'er earth, my soul to Heaven above
As to her sanctuary springs,
For God is love.

When mystery clouds my darkened path,
I'll check my dread, my doubts reprove;
In this my soul sweet comfort hath,
That God is love.

Yes! God is love—a thought like this
Can every gloomier thought remove,
And turn all tears, all woes to bliss—
For God is love.

Recovery of a Daughter.

Many years ago, several German families left their country and settled in North America. Amongst them was a man from Wirtemberg, who with his wife and a large family, established himself in Pennsylvania. There were no churches or schools then in that neighborhood, and he was compelled to keep the Sabbath at home with his family, instructing them himself to read the Bible and pray to God. He used very often to read the scriptures to them, and always used first to say, "Now my children, be still, and listen to what I am going to read; for it is God who speaks to us in this book."

In the year 1754, a dreadful war broke out in Canada, between the French and the English. The Indians took part with the French, and made excursions as far as Pennsylvania, where they plundered and burned all the houses they came to, and murdered the people. In 1755, they reached the dwelling of the poor family from Wirtemberg, while the wife and one of the sons had gone to the mill, four miles distant, to get some corn ground. The husband, the eldest son, and two little girls, named Barbara and Regina, were at home. The father and his son were instantly killed by the savages, but they carried the two little girls away into captivity, with a great many other children who were taken in the same manner. They were led many miles through woods and thorny bushes that nobody might follow them. In this condition they were brought to the habitations of the Indians, who divided among themselves all the children whom they had taken captive.

Barbara was at this time ten years old, and Regina nine. It was never known what become of Barbara; but Regina, and a little girl two years old, whom she had never seen before, were given to an old widow, who was a very cruel woman. Her only son lived with her and maintained her; but he was sometimes from home for weeks together, and then these poor children were forced to go into the forests to gather roots and other provisions for the old woman, and when they did not bring her enough to eat, she would beat them in so cruel a manner that they were nearly killed. The little girl always kept close to Regina, and when she knelt down under a tree, and repeated the prayers to the Lord Jesus, and the hymns which her father and mother had taught her, the little girl prayed with her and learned the hymns and prayers by heart. In this melancholy state of slavery these children remained nine long years, till Regina had reached the age of nineteen, and her little companion was eleven years old. While captives, their hearts seemed to have been drawn towards what was good. Regina continually repeated the verses from the Bible, and the hymns which she had learnt when at home, and she taught them to the little girl. They often used to cheer each other with one hymn book used at Haile, in Germany:

"Alone, yet not alone am I,
Though in this solitude so drear."

They constantly hoped that the Lord Jesus would, some time, bring them back to their Christian friends.

In 1764, the hopes of these children were realized. The merciful providence of God brought the English Colonel Boquet to the place where they were in captivity. He conquered the Indians and forced them to ask for peace. The first condition that he made was, that they should restore all the prisoners they had taken. Thus the two poor girls were released. More than 400 captives were brought to Colonel Boquet. It was an affecting sight to see so many young people wretched and distressed. The colonel and his soldiers gave them food and clothes, brought them to a town called Carlisle, and published in the Pennsylvania newspapers that all parents who had lost their children might come to this place, and in case of their finding them, they should be restored. Poor Regina's sorrowing mother came, among many other bereaved parents, to Carlisle; but alas! her child had become a stranger to her. Regina had acquired the appearance and manner, as well as the language of the natives. The poor mother went up and down amongst the young persons assembled, but by no efforts could she discover her daughters. She wept in bitter grief and disappointment. Colonel Boquet said, "Do you recollect nothing by which your children might be discovered?"

She answered that she recollected nothing but a hymn which she used to sing with them, and which was as follows:

"Alone, not yet alone am I,
Though in this solitude so drear;
I feel my Saviour always nigh,
He comes the weary hours to cheer.
I am with him, and he with me,
Even here alone I cannot be."

The colonel desired her to sing this hymn. Scarcely had the mother sung two lines of it, when Regina rushed from the crowd, began to sing it also, and threw herself into her mother's arms. They both wept for joy, and the colonel restored the daughter to her mother. There was no one to own the other little girl; and as she clung to Regina, and would not let her go, the mother took her also to her home.

As soon as Regina came home, she inquired for "the book in which God speaks to us." Her mother unfortunately was destitute of that treasure, having lost everything when the natives burnt the house. A Bible, however, was presented to her, when application was made at Philadelphia; and it is remarkable that Regina had so retained her early instructions that she was enabled to read, immediately when the precious book was handed to her.—*Related by the Rev. Mr. Rone, of Elsinore, in Denmark.*

Climate of Florence.—"It is much like our the Middle States, except that our winter is colder and drier. An American is suprised at this similarity on arriving in Italy; having got his notions from English writers, who, coming from their cloudy northern island, are enchanted with the sunny temperance of an Italian winter, and oppressed by the heats of summer. The heat is not greater than it is in Maryland: and our winter is finer certainly than that of Florence, being drier, and though colder, at the same time, sunnier. As with us, the autumn, so gloomy in England, is cheerful, clear, and calm, holding on till Christmas. They have hardly more than two cold months. Already in March the spring is awake, and soon drives back winter, first into the highest Appenines, where he clings for a brief space, and thence retreats up to the topmost Alps, not to reappear for nine or ten months. Nor is that beautiful child of the light and air, the Italian sunset, more beautiful than the American."

Eloquence.—Different styles of eloquence, each producing the same effect, are well illustrated in the following:

"Contribute liberally my brethren; give such a sum as you would not be ashamed to place on the altar of Heaven, in presence of an assembled universe."—*Bishop Griswold.*

ONLY ONE MURDER.*

"We find the following in the "*Christian Witness,*" but do not know from what work it is taken. Let us all, while we see how clearly the poor Greenlander was wrong in wishing to indulge himself *only this once,* look at our own hearts, which are as disobedient, though our minds are more enlightened."

It has ever been a fixed law in Greenland, that murder, and particularly the murder of a father, must be avenged. About twenty years before the arrival of Saaybe, a father had been murdered in the presence of his son, a lad of thirteen, in a most atrocious manner. The boy was not able then to avenge the crime, but the murderer was not forgotten. He left that part of the country, and kept the flame burning in his bosom twenty-five years, no suitable opportunity offering for revenge, as the man was high in influence, and many near to defend him. At length his plan was laid, and with some of his relations to assist him, he returned to the province of the murderer, who lived near the house of the Saabye; there being no house unoccupied, where they might remain, but one owned by Saabye, they requested it, and it was granted, without any remark, although he knew the object of their coming.

The son soon became interested in the kind missionary, and often visited his cabin, giving as his reason, "you are so amiable, I cannot keep away from you." Two or three weeks after, he requested to know more of "the great Lord of heaven," of whom Saabye had spoken. His request was cheerfully granted. Soon it appeared that himself, and all his relations were desirous of instruction, and, ere long, the son requested baptism. To this request the missionary answered, "Kunnuk, you know God: you know that he is good, that he loves you, and desires to make you happy; but he desires also that you shall obey him."

Kunnuk answered, "I love him, I will obey him."

"His command is, 'Thou shalt not murder.'" The poor Greenlander was much affected and silent. "I know," said the missionary, "why you have come here with your relations; but this you must not do, if you wish to become a believer."

"Agitated, he answered, "but he murdered my father."

For a long time the missionary pressed this point, the poor awakened heathen promising to "kill *only one.*" But this was not enough. "Thou shalt do *no* murder," Saabye insisted was the command of the great Lord of heaven. He exhorted him to leave the murderer in the hand of God to be punished in another world; but this was waiting too long for revenge. The missionary refused him baptism, without obedience to the command. He retired to consult his friends. They urged him to revenge.

Saabye visited him, and without referring to the subject, read those portions of scripture and hymns teaching a quiet and forgiving temper. Some days after, Kunnuk came again to the cabin of the Saabye. "I will," said he, "and I will not; I hear and I do not hear. I never felt so before; I will forgive him and I will not forgive him. The missionary told him when he *would* forgive, then his better spirit spoke; when he *would not* forgive, then his unconverted heart spoke." He then repeated to him the latter part of the life of Jesus, and his prayer for his murderers. A tear stood in his eye. "But he was better than me," said Kunnuk. "But God will give us strength," Saabye answered. He then read the martyrdom of Stephen, and his dying prayer for his enemies. Kunnuk dried his eyes and said, "The wicked men! He is happy; he is certainly with God in heaven. My heart is so moved, but give me a little time; when I have brought the other heart to silence, I will come again." He soon returned with a joyful countenance, saying, "Now I am happy; I hate no more; I have forgiven; my wicked heart shall be silent." He and his wife having made a clear profession of faith in Christ, were baptized and received into the church. Soon after, he sent the following note to the murderer of his father: "I am now a believer, and you have nothing to fear," and invited him to his house. The man came, and invited Kunnuk in turn, to visit him. Contrary to the advice of his friends, Kunnuk went, and as he was returning home, he found a hole had been cut in his boat in order thst he might be drowned. Kunnuk stept out of the water, saying, "He is still afraid, though I will not harm him!"

*The thrilling article, "Only One Murder," is thus modestly and piously introduced into an early number of "Littell's Living Age." It is full of mind and of heart, and ought often to be given to the world and to the church as exemplifying the power of truth over an honest heart.

A Critic Criticised.—We find the following in a late English Journal:

A Wolverhampton man of business once wrote to a professional friend at Walsall, with an accompanying sample padlock; "Send 100 dozen *hiron locks* like the pattern, upon honor." The Walsall, professional wrote in reply—"The iron locks shall be sent to order and pattern, upon 'onor." A few days after the good friends met, when the diplomat, sarcastically alluding to the shorn *honor* of the man of locks, thus began: "When next you write to a gentleman, be sure to spell 'onor as it should be, and not without the h." "Bless my heart," rejoined he of the locks in a master key, "we've got no letter h in Walsall; they keep 'em all in Wolverhampton to *spell iron with!*

If it be grateful to every sympathizing heart to be instrumental in rescuing a fellow citizen from the distresses of captivity in a foreign land, how much more pleasing ought the task to be, to save an unhappy mortal from the galling fetters of sin, the ignominious bondage of Satan? If we be disposed to employ our time and our estate for the relief of our wretched brethren of mankind, who are laboring under bodily disease, or any other temporal evil, with how much more readiness ought we to exert every faculty with which Heaven has blessed us, in order to cure the maladies of their souls, to save them from the wrath to come? If our liberality be exerted in giving bread to the hungry, and clothing to the naked, how much more effectually shall we yield comfort to the poor, by putting into their hands the precious Word of God, and teaching them to rely on those consoling promises, by which they are encouraged to hope, that the short affliction of a moment may work out for them a far more exceeding and eternal weight of glory. Let cruel infidels attempt to wrest out of their hands this heavenly support; but let kind-hearted believers exhort them to hold fast a rod and a staff which will sustain them, even when they are passing through the valley of the shadow of death.

The present times demand extraordinary exertions, in order to enable the Word of God to run and be glorified, to dissipate the cold mists of ignorance and prejudice, and to warm the torpid hearts of fruitless professors with the flame of vital piety. Infidelity, with equal art and industry, is attempting to make inroads upon the Church of Christ. Be assured, while you are contributing to the support of truth in opposition to error; while you are endeavoring to prevail upon the ignorant to consider all Holy Scriptures as written for our learning, and teaching them to pray, that "they may in such wise read, mark, learn, and inwardly digest them, as to be induced to embrace and ever hold fast the blessed hope of everlasting life;" while you are thus furnishing an antidote to the poison which the infidel is diffusing round him; you not only discharge your duty as good Christians, but you act the part of most useful members of civil society. Anarchy, rapine, murder, crimes of every sort, decry Christianity as useless to mankind; because, with a stern look and tremendous voice, she denounces against them the judgments of Almighty God; but peace and happiness, truth and justice, court her influence, and perpetually hail her as their best friend and surest support.—*Bishop Moore.*

COMMUNICATIONS.

For the Churchman.

"*When he has been convicted and sentenced, he stands before us as a culprit, with no claims of right. When he was on trial he had rights; but after verdict found, and sentence recorded, he must not look for relaxation. I think the true position of —— is generally overlooked. He can claim nothing whatever by his position: and we must not shut our eyes to the fact that we are dealing with a man on whom sentence has been passed.*"

Mr. Editor,—The meaning of the above is evident. It is nothing short of this: That when once a man is convicted and sentenced, he has lost all his rights—his lips are forever sealed against complaints of illegality, injustice, or hardship—he is utterly divested of all claim to "relaxation."

It is unnecessary to say to the Christian reader that this is not only in *hostility,* but at the farthest point of *diametrical opposition,* to the *heavenly* principles and affections of the Gospel. It sets at defiance all the securities for righteousness and justice which the pure, the wise, and the good, in legislation and in judgment, have erected against the oppositions of human infirmity and malice.

Were the passage to be found in one of the dead languages, or of the oriental, or of our Western aboriginal, it might be taken for the effusion of some poor pagan on whose darkened heart the light of the Gospel had never shone to dispel the malign influences of Satan's empire over the passions of fallen humanity. Appearing, as it does, in one of the public prints of the day, as part of a speech just delivered in our own tongue, it would befit a hardened infidel, who, in his hatred of the Gospel, would banish from among men even the best of the means it extends for ameliorating their state, and improving their hearts.

Alas! neither of these is true. Vent was given to the wicked sentiments, transcribed at the head of this article, by a *professing Christian,* by a *Christian minister,* by one who asks to have the minds and morals of the rising generation placed under his charge. It was given too in the mere indulgence of inclination, having been by no means necessarily connected with the subject in hand, which was one of abstract principle, independent of any personal or local application. But it was given also (and this the true Christian will not fail to mark as its strong feature) against one towards whom—*I say it advisedly*—the speaker had for years exhibited proofs of deadly hostility, and of desire for his *utter destruction;* even while assuming towards him personally the guise of friendship. It obviously wears the character of disappointment that this meditated evil has not yet been consummated, and of a desperate struggle still to attain that end as far as possible.

It is not my object, Mr. Editor, to make much comment. I would add but three remarks.

1. What wonder that divine judgments should rest upon the Church, when such things are tolerated in its ministers and members.
2. The case presents one of the most appalling signs of the times; when incomparably better men will look complacently on such malignant and iniquitous means for answering vindictive ends.
3. What must be thought of a cause which requires to be thus supported?

L. A.

For the Churchman.

Dear Mr. Editor,—It is to be wished that the Reporters who by the courtesy of the House of Clerical and Lay Deputies are admitted to its sittings, would exercise fairness in their reports, and record without partiality what is said by each speaker. We have a notable example to the contrary in the Commercial Advertiser which, from some secret influence, reports carefully the speeches of the opposition, while those of the friends of truth and justice are too often left untouched, or at the most a very meagre and imperfect account is given. For instance while the speech of Dr. Hawks was reported fully, comparatively speaking, Dr. Ogilby's in reply was comprehended in *two or three lines;* and all that is said of Mr. Wharton's admirable and conclusive speech is this—*Mr. Wharton followed on the same side!* When we remember that a certain lawyer is said to have great influence with the conductors of that paper, and that he has avowed and published his *assertion* that the Diocese is vacant, it may seem good policy for the Editors to keep carefully out of view the strong arguments which have been adduced in opposition. I instance the above mentioned paper because I am a subscriber to it, and have a very favorable opportunity for comparing what is said in the House with what is reported in its columns; there may be others who are equally uncandid and unfair; but I believe the Express is exceedingly full, accurate, and impartial. Of course some condensation is to be exercised, but then it should be applied equally to all. It is to be observed that the Courier and Enquirer with its accustomed ferocity and brutality made a disgraceful attack upon one of the Clerical Delegates from this Diocese, thereby insulting the House which had cautiously admitted its reporters to its sittings. Abuse from such a quarter is probably a compliment in the view of all virtuous, right minded, and order-loving citizens.

Yours, Mr. Editor, with respect,
Observer.

For the Churchman.

Rev. and Dear Sir,—There is a question belonging to our ecclesiastical constitution which has given me some uneasiness, and therefore I must beg a little information regarding it. It relates to the Assistant Bishops of our Church, and the fact of their acting in all cases in our general ecclesiastical affairs as independent persons, or as having themselves a substantive standing in the Church. It would seem to one that the reason for the existence of the Assistant being "the infirmities and inability of the Bishop," implies that, where the Bishop *can, and does act,* the Assistant's power ceases. I have supposed, that in the Diocese of Virginia for instance, if the Bishop ordains, the Assistant could have no agency or action in the matter. In the Diocesan Convention too, if the Bishop is present, he is the sole presiding officer. If this is so, why then does the Assistant have an independent vote and action in the House of Bishops? If I am wrong in all this, you will know how to excuse the ignorance of a Louisiana Layman, asking for light, and that you may be able thoroughly to disabuse my mind of errors, I will give you as shortly as possible the reasoning that has influenced me.

I have supposed that our Church in the United States is composed of as many independent churches as there are Dioceses. That this Church exists on the principle of entire equality in these independent bodies. In the united legislation of this Church, Maine with her eight clergy, takes as potent a part as New York with two hundred, and she takes no more. She can require no more, and she does not ask it. But give Maine an Assistant Bishop, and in the General Convention she rules New York. Is not the fundamental principle of our constitution, viz., equality, here violated? In fact, let the Assistant Bishop of Illinois be consecrated, and we may have fifteen dioceses, with under three hundred clergy, ruling the other thirteen with three thousand. And they would do this if all the dioceses, which I believe number thirty in our country, were supplied with Btshops. Will this tend to lasting union and harmony?

Your respectfully,
Henry Wm. Huntington.

October 5th, 1847.

To the Editor of the Churchman.

Sir,—It seems to me that the following texts would be an admirable topic of reflection for the members of the General Convention at the present time:

"Sufficient to such a man is this punishment, which was inflicted of many.

"So that contrariwise ye ought rather to forgive him, and comfort him, lest perhaps such a one should be swallowed up with overmuch sorrow."—2 *Cor.* 2: 6, 7.

DOMESTIC INTELLIGENCE.

New York.—Saturday, October 16, in Trinity Church, this city, Bishop Potter admitted to Deacon's orders Mr. S. H. Weston. The Rev. Benjamin I. Haight, D.D., an assistant minister in the church, presented the candidate and preached the sermon.

Sunday, October 31, in Emmanuel Church, Brooklyn, the Rt Rev. the Bishop of North Carolina ordained to the Holy Order of Priests the Rev. C. Donald Macleod. Morning Prayer was said by the Rev. Mr. Halsey of the Diocese of Indiana. The sermon was preached by the Bishop, and the candidate presented by the Rev. Francis Vinton, Rector of the church. The Litany was said by the Bishop, who immediately proceeded to the Ante-communion office, in which the Rev. Rector of Emmanuel read the Epistle, and the candidate for the Priesthood, the Gospel. After the ordination the Bishop consecrated the Eucharist, being aided in distributing the elements by the Rector, the Rev. Mr. Halsey, and the newly-ordained.

Massachusetts.—The Church of the Advent, Boston, has purchased the meeting-house in Green street, lately occupied by Rev. Mr. Towne's Society, and formerly by Rev. Dr. Jenks's Society, it is said, for $25,000.

Western New York.—*St. Peter's Church, Niagara Falls.*—The interesting ceremony of laying the corner-stone of this church took place on the 30th ult. The following clergymen were present:

The Rev. Dr. Shelton, and Rev. Mr. Schuyler, of Buffalo.

The Rev. Mr. Platt, and Rev. Mr. Stanley, of Lockport.

The Rev. Mr. Cox, of the Diocese of Ohio.

The Rev. Mr. Treadway, of Lewiston, and rector of St. Peter's Church.

The Rev. Mr. Cox read prayers, and Mr. Stanley the lessons. Rev. Mr. Schuyler preached the sermon.

The Rev. Dr. Shelton laid the corner-stone.

Rev. Mr. Treadway delivered the address.

The following articles were deposited in the corner-stone.

1. Statistics of the organization of St. Peter's Church.
2. Book of Common Prayer.
3. Journal of the Primary Convention of the Diocese of Western New York.
4. Journal of the 9th Annual Convention of do.
5. Sword's Pocket Almanac for 1847.
6. Copy of the "Gospel Messenger" for Sept. 24, 1847.
7. Cop of the "Churchman" for Sept. 25, 1847.
8. Copy of the "Iris of Niagara Falls" for Sept. 25, 1847.
9. Constitution and Canons of the Diocese of Western New York.

On the 28th of December, 1846, St. Peter's Church was incorporated, and was, at the last annual Convention, duly received into the Diocese of Western New York. A building committee has been appointed, and a contract made for building a church edifice, to cost about thirty-two hundred dollars.

Our minister, the Rev. Mr. Treadway, has been most diligent in inviting the people to their duty, and in prompting and urging them forward to erect a place of public worship. Great anxiety to accomplish this work has caused it to be attempted, without having on hand funds to finish it, where the residue is to come from remains uncertain. Many, who reside at the Falls, and in the neighborhood, have done nothing; but it is hoped that their public spiritedness and benevolence, will not allow this commendable work to be hindered, but prompt them to act with their accustomed liberality. The bounty too, of Trinity Church, New York City, has been sought, and the aid of strangers who visit the Falls, invoked. For the accommodation of strangers, the church building has been enlarged much beyond the requirements of the usual congregation of the place.

Though more has been attempted in the erection of this building, than the means at command warrant, yet the Rector, Wardens, and Vestry of the church, have no fear of the result. They have commenced the work in confidence, and by the blessing of God they hope to see it completed, furnished, and devoted to His service.—*Gospel Messenger.* D.

New Jersey.—At a special ordination, held in St. Matthew's Church, Jersey City, N. J., on Sunday morning, October 10th, Mr. Henry W. Adams, M. A., of Boston, was admitted to the holy order of Deacons, by the Rt. Rev. Bishop Eastburn of Massachusetts. Morning Prayer was read by the Rev. A. Burgess, of Augusta, Me., assisted by the Rev. Charles Aldis, Assistant minister of St. Matthew's. The Rt. Rev. the Bishop delivered a most appropriate and eloquent sermon from these words: "Wo is me if I preach not the Gospel." The great evangelical doctrines of the Gospel, and of the Reformation, were set forth in a simple, yet fearless and powerful manner. The candidate was then examined, after which the Litany and Ante-communion were read by the Bishop. The candidate was presented by the Rev. John West, special agent of the Foreign Committee of the General Board of Missions. After the ordination, the Holy Communion was administered by the Bishop, assisted by the Rev. Dr. Barry, Rector of St. Matthew's. In the afternoon, the Rev. Mr. Adams read the Service, and preached his first sermon in St. Matthew's Church.—*Christian Witness.* B.

Pennsylvania.—At a special meeting of the Standing Committee of the Diocee of Pennsylvania, held this day, Mr. Robert T. Roach and Mr. Rees C. Evans, (late a minister of the Presbyterian denomination,) applied to be recommended as candidates for Holy Orders.

Testimonials were signed on behalf of the Rev. George A. Durborrow, applying to be recommended for Priest's Orders, and also on behalf of Mr. Daniel S. Miller, applying to be recommended for Deacon's Orders.

M A. DeWolfe Howe, Sec'y.
Philadelphia, Oct. 27th, 1847.

Maryland.—The Annual Examination of St. Timothy's Hall was held on the 27th, 28th, and 29th of September. The first two days were devoted to the examination of the pupils on the studies of the year. We had the opportunity to be present on the last day, when the exercises, which consisted of speeches, dialogues, and other performances, were witnessed by a large and delighted audience, composed of the parents and friends of the pupils, collected from the city and the vicinity of the Institution. We might particularize some of the performances as of superior excellence; but as all the pupils acquitted themselves so well, we prefer not to select individual cases. The scene from "William Tell" was admirably performed; and that the performance was true to nature, was attested by the fact that the interviews between the father and his noble boy, drew tears from many bright eyes. In the scene from the "Merchant of Venice," the "Shylock" (and in this instance we depart from our previously expressed determination) was finely conceived and represented.

In the afternoon an abundant collation was spread for the company, military exercises were finely performed by the pupils; and the day closed with an excellent address by the worthy and able Rector, the Rev. L. Van Bokkelen.

We say with pleasure and confidence, that, from what we understand of the system pursued by the Rector and his Assistants, this Institution is eminently entitled to public patronage. The eighty acres of land on which the buildings are erected afford ample room for exercise; and mental culture is not attained at the cost of bodily vigor. This we consider as the most important feature in the systems of modern education, and one which has long received due attention in England and on the Continent.

Advertisements.

JUST PUBLISHED.

1. Mercy to Babes: A Plea for the Christian Baptism of Infants, addressed to those who doubt and those who deny the validity of that practice. By the Rev. Mr. Adams. 12mo. 63 cts.
2. Happiness of the Blessed: by the Rt. Rev. Bishop Mant, Bishop of Down and Connor. 12mo. 75 cts.
3. Horæ Liturgicæ: Containing, I. Liturgical Discrepancy; its extent, evil, and remedy; in two letters to the clergy of his Diocese. II. Liturgical Harmony—its obligations, means, and security against Error, whether Popish or Puritanical—in a Charge to candidates for Holy Orders. By the Rt. Rev. Richard Mant, Bishop of Down, Connor, and Dromore. Edited with Notes and Additions, to adopt it to use in the American Church, by the Rev. W. D Wilson, A. M. 12mo. 50 cts.
4. The Vast Army: An Allegory. By the Rev. Edward Monro, Author of the Dark River, &c. 12mo. 31 cts.

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September 18—tf

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Louisville, Ky.—Rt. Rev. Bishop Smith.
October 9.

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The Fall term commences on the 6th September.
Sept. 4—tf

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February 27—yly

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August 28—6m§

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March 27—tf

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